

Gazette
officielle

^{DU}
Québec

Part

2

No. 20

17 May 2006

Laws and Regulations

Volume 138

Summary

Table of Contents
Regulations and other acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Table of Contents

Page

Regulations and other acts

363-2006	Ratification of a Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation and making of the Regulation giving effect to the Agreement	1457
374-2006	Parental insurance and other legislative provisions, An Act to amend the Act respecting... — Regulation 2 under section 108	1461
	Highway Safety Code — Approval of weigh scales	1462
	Lands in the domain of the State designated for development of wildlife resources	1464

Draft Regulations

	Deposit Insurance Act — Regulation	1467
	Professional Code — Medical Act — Physicians — Professional activities that may be engaged in within the framework of prehospital emergency services and care	1470
	Supplemental Pension Plans Act — Exemption of certain categories of pension plans from the application of the Act	1473

Regulations and other acts

Gouvernement du Québec

O.C. 363-2006, 2 May 2006

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

Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation — Ratification and making

Ratification of a Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation and the making of the Regulation giving effect to the Agreement

WHEREAS the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation was signed on 1 April 2004 at Québec;

WHEREAS the purpose of the Agreement is to ensure reciprocal recognition of certain classes of driver's licences issued by Québec and Swiss authorities and to establish the terms and conditions to allow the exchange of the driver's licences;

WHEREAS, under section 65 of the Highway Safety Code (R.S.Q., c. C-24.2), a person must hold a driver's licence of the class appropriate to the driving of a road vehicle on a public highway and other roads described in the Act;

WHEREAS section 629 of the Code provides that the Minister of Transport may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS section 631 of the Code provides that the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to a regulation under that section;

WHEREAS the Agreement constitutes an international agreement within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1);

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, international agreements referred to in section 22.2 must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under the second paragraph of section 20 of the Act respecting the Ministère des Relations internationales, the Minister may, in writing, authorize a person to sign an international agreement on the Minister's behalf and the signature has the same effect as the signature of the Minister;

WHEREAS the Minister of International Relations authorized the Minister of Transport to sign the Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation on behalf of the Minister of International Relations;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, the ratification of an international agreement that constitutes an important international commitment may not take place until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the Agreement on 1 December 2005;

IT IS ORDERED, therefore, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie and the Minister of Transport:

THAT the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation, signed on 1 April 2004 and approved by the National Assembly on 1 December 2005, the text of which appears as a Schedule to the Regulation giving effect to the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation, be ratified;

THAT the Regulation giving effect to the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation giving effect to the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation

Highway Safety Code
(R.S.Q., c. C-24.2, s. 631)

- 1.** The Highway Safety Code (R.S.Q., c. C-24.2) and the regulations thereunder apply to the holder of a driver's licence issued by the Government of the Government of the Swiss Confederation.
- 2.** The provisions of the Code and the regulations thereunder apply in the manner set out in the Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation appearing as a schedule.
- 3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

AGREEMENT ON DRIVER'S LICENCE EXCHANGE BETWEEN THE GOVERNMENT OF QUÉBEC AND THE GOVERNMENT OF THE SWISS CONFEDERATION

THE GOVERNMENT OF QUÉBEC

represented by the Minister of Transport,
Yvon Marcoux,

AND

THE GOVERNMENT OF THE SWISS CONFEDERATION

represented by the Ambassador to Canada,
Anton M.F. Thalmann,

Referred to hereafter as the Parties,

DESIRING to facilitate the exchange of driver's licences for holders of a valid licence issued by one of the Parties who settle or stay in the territory of the other Party;

HAVE AGREED to conclude a reciprocal agreement to ensure that driver's licences are recognized and to facilitate the exchange of driver's licences according to the following provisions:

ARTICLE 1 DEFINITIONS

In this Agreement,

1.1 "authority" means the administrative entity that issues driver's licences, namely for Québec, the Société de l'assurance automobile du Québec, and for Switzerland, a cantonal Road Traffic Office, and "authorities" means both the Société de l'assurance automobile du Québec and the cantonal road traffic offices;

"driver's licence" means a licence issued by an authority authorizing the holder to drive a motor vehicle, subject to the terms and conditions specific to the class or category of driver's licence and any other related condition, and subject to the relevant laws and regulations in force in the territory;

"territory" means Québec or Switzerland and "territories" means both Québec and Switzerland;

"valid" means that at the time a driver's licence issued by one authority is exchanged for a driver's licence issued by the other authority, the original driver's licence has not expired or been revoked, suspended or cancelled, and that the driver's licence has not been the subject of any similar restriction which prevents the holder from using it for the intended purpose.

1.2 More specifically for Québec

A Class 5 driver's licence issued by the Société de l'assurance automobile du Québec authorizes the holder to drive a motor vehicle having two axles and a net weight of less than 4,500 kg (motor vehicle or van or light truck), a motor vehicle permanently converted into living quarters (motor home), a tool vehicle and a service vehicle (service truck or tow truck).

In addition, classes 6D (moped) and 8 (farm tractor) are included in the Class 5 licence.

A Class 5 probationary licence is issued to an applicant who is under the age of 25 and whose driving experience is less than 24 months.

1.3 More specifically for Switzerland

A Category B driver's licence issued by a cantonal Road Traffic Office authorizes the holder to drive

— a motor vehicle or motor tricycle having a maximum weight not exceeding 3,500 kg and a maximum number of eight seats, in addition to the driver's seat; a vehicle of that category may haul a trailer having a maximum weight not exceeding 750 kg;

— a combination of road vehicles consisting of a Category B tractor and a trailer weighing more than 750 kg, as long as the weight of the combination of vehicles does not exceed 3,500 kg and the total weight of the trailer does not exceed the tare weight of the tractor.

In addition, Categories F (vehicles whose maximum speed is 45 km/h, except motorcycles), G (farm vehicles whose maximum speed is 30 km/h) and M (mopeds) are included in the Category B licence.

A Category A driver's licence issued by a cantonal Road Traffic Office authorizes the holder to drive a motorcycle of more than 125 cm³, whereas the Category A1 licence authorizes the driving of a motorcycle under 125 cm³.

1.4 This Agreement also mentions the driver's licences issued by the Société de l'assurance automobile du Québec:

— Class 6A that authorizes the driving of any motorcycle;

— Class 6B that authorizes the driving of a motorcycle with an engine displacement of 400cc or less; and

— Class 6C that authorizes the driving of a motorcycle with an engine displacement of 125cc or less.

ARTICLE 2 RECOGNITION AND EXCHANGE OF LICENCES

2.1 The holder of a valid Class 5 Québec driver's licence or of a valid Québec probationary licence may, within twelve months of settlement in the territory of Switzerland, exchange that licence with the competent cantonal Road Traffic Office in the holder's new domicile for a Category B licence, including the privileges of categories F, G and M, without undergoing a proficiency examination but following an eye test.

The holder of a valid Class 6A or 6B Québec driver's licence may, within the same period, exchange the licence for a Category A licence, without undergoing a proficiency examination but following an eye test.

The holder of a valid Class 6C Québec driver's licence may, within the same period, exchange the licence for a Category A1 licence, without undergoing a proficiency examination but following an eye test.

The holder obtains a Swiss driver's licence when exchanging the Québec driver's licence and upon filing the identification documents required by the Swiss authority, after paying the duties and fee prescribed by regulation.

2.2 The holder of a valid Category B Swiss driver's licence may, within twelve months of settlement in the territory of Québec, exchange the licence for a Class 5 licence, including the privileges of Classes 6D and 8, without undergoing a proficiency examination or an eye test.

The holder obtains a Québec driver's licence when exchanging the Swiss driver's licence and upon filing the identification documents required by the Québec authority, after paying the duties and fee prescribed by regulation and the contribution for insurance against bodily injury resulting from a motor vehicle accident.

An applicant who is under the age of 25 is issued a probationary licence of the same class, unless the applicant's driving experience is 24 months or more.

2.3 The conditions on the original driver's licence are carried over onto the new driver's licence, in the form of equivalent codes.

2.4 Driver's licences with or without a photograph, a specimen of which has been provided in accordance with this Agreement, shall be exchanged.

2.5 The authority that exchanges a licence is to verify the identity of the applicant and the validity of the licence submitted. The authority may to that effect contact the issuing authority.

2.6 The driving experience indicated on the original permit or the applicant's record by the issuing authority is recognized by the other authority.

2.7 The authority that recovers the original driver's licence during the exchange must return it to the issuing authority.

ARTICLE 3 FINAL PROVISIONS

3.1 The Parties append to this Agreement specimens of the various valid driver's licences for exchange in their territory.

Any change by one Party to the model of a driver's licence in force at the time this Agreement is signed shall be communicated to the other Party.

3.2 This Agreement does not invalidate the provisions of any law or regulation applicable in the territory of one of the Parties with respect to the right to use a foreign driver's licence.

3.3 This Agreement may be amended to take into account any amendment made to applicable domestic law in the territory of either Party.

3.4 The authorities of either party are responsible for the application of this Agreement. As such, they agree to implement all necessary mechanisms, including those allowing for the exchange of information and validation of the licences submitted to the other authority under this Agreement.

3.5 The Parties shall assist each other in the application of this Agreement and exchange information, when necessary, on licences submitted to be exchanged. A contact point shall be established so that the validity of a licence may be verified directly.

The authority exchanging a licence may ascertain the validity of the licence with the issuing authority using information technologies, in accordance with the terms and conditions to be determined between them.

Applications for information made under this article shall be sent to the following addresses:

For Québec

Société de l'assurance automobile du Québec
Service des opérations et de la diffusion
333, boulevard Jean-Lesage, C-3-14
Québec (Québec) G1K 8J6
Canada
Fax : 418 644-7167

For Switzerland

Office fédéral des routes
Division Circulation routière
Registres des conducteurs et des véhicules
CH-3003 Berne
Fax : 00 41 31 324 02 46
E-mail : admas-faber@astra.admin.ch

Each Party may change the address to which applications must be sent by sending a written notice to the other Party.

3.6 Every document or communication concerning the evolution of this Agreement must be in writing and is deemed to have been duly provided or sent to the Party to which it is addressed at the time it is handed in person, delivered by messenger or registered mail (postage paid) or sent by fax to the following addresses:

For Québec

Société de l'assurance automobile du Québec
Vice-présidence aux services à la clientèle
333, boulevard Jean-Lesage, C-1-31
Québec (Québec) G1K 8J6
Canada
Fax : 418 528-1221

For Switzerland

Office fédéral des routes
Division Circulation routière
CH-3003 Berne
Fax : 00 41 31 323 23 03
E-mail : info@astra.admin.ch

Each Party may change the address to which documents or communications must be sent by sending a written notice to the other Party.

3.7 This Agreement comes into force once the necessary internal formalities have been completed, on the date agreed on in an exchange of letters between the Parties.

3.8 A Party may terminate this Agreement by means of a written notice sent to the other Party. The Agreement shall end on the ninetieth (90th) day after the sending of the notice.

Done at Québec, this April 1, 2004, in duplicate, in French.

FOR THE GOVERNMENT
OF QUÉBEC

FOR THE GOVERNMENT
OF THE SWISS CONFEDERATION

YVON MARCOUX,
Minister of Transport

ANTON M.F. THALMANN,
Ambassador to Canada

Gouvernement du Québec

O.C. 374-2006, 2 May 2006

An Act to amend the Act respecting parental insurance and other legislative provisions
(2005, c. 13)

Regulation 2 under section 108

Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions

WHEREAS the Act to amend the Act respecting parental insurance and other legislative provisions (2005, c. 13) was assented to on 17 June 2005;

WHEREAS, under the first paragraph of section 108 of that Act, the Government may, by regulation, adopt any other transitional provision or measure that is expedient for the purposes of the Act, the Canada-Québec Final Agreement on the Québec Parental Insurance Plan and related administrative agreements before 17 June 2006;

WHEREAS, under the second paragraph of that section, a regulation made under that section is not subject to the publication requirement under section 8 of the Regulations Act (R.S.Q., c. R-18.1) and a regulation may, if it so provides, apply from any date that is not prior to 17 June 2005;

WHEREAS it is expedient to make a regulation under section 8 to prescribe certain transitional provisions and other relevant measures that are expedient for the purposes of the Act, the Canada-Québec Final Agreement on the Québec Parental Insurance Plan and related administrative agreements;

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

THAT Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions

An Act to amend the Act respecting parental insurance and other legislative provisions
(2005, c. 13, s. 108)

1. Section 42.1 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), enacted by section 91 of the Act, is amended

(1) by replacing “preceding” in the first paragraph by “preceding the week of”;

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

“The worker is presumed to be eligible for those benefits from that fourth week.”;

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

“However, the expected date of delivery may be changed if the Commission is informed by the worker’s attending physician of a new expected date of delivery, not later than four weeks before the date stated in the certificate mentioned in the first paragraph.”.

2. The Regulation under the Act respecting parental insurance, made by Order in Council 986-2005 dated 19 October 2005 and amended by Order in Council 9-2006 dated 17 January 2006, is further amended by adding the following after section 31.1:

“**31.2.** The qualifying period of a person who, during the 52 weeks preceding the benefit period, had insurable earnings while being unable to have other insurable earnings because the person was receiving indemnities under the Act respecting occupational health and safety by reason of the fact that the person had ceased to work because continuation of work entailed physical dangers for the person by reason of her pregnancy or for the person’s unborn child or the child the person was breast-feeding, is the 52-week period preceding the first week in which that inability occurs.

Such a qualifying period is established on request if the person proves to the satisfaction of the Minister that the person was in the situation referred to in the first paragraph.

The qualifying period of the person may be extended in the cases and on the conditions set out in section 32 but may not, once extended, exceed the 104th week preceding the benefit period.

This section does not apply when income from a business is taken into account.

31.3. Where the qualifying period of a person is the calendar year preceding the benefit period and, during that year, the person had insurable earnings derived from a business while being unable to have other insurable earnings for the reason referred to in the first paragraph of section 31.2, the average of the insurable earnings is established as follows :

(1) determine the average of the weekly insurable earnings for the calendar year preceding the qualifying year of the person ;

(2) multiply the amount obtained under subparagraph 1 by the number of weeks the person was unable to have other insurable earnings ;

(3) determine the weekly average of the insurable earnings from a business for the qualifying year ;

(4) multiply the amount obtained under subparagraph 3 by the number of weeks the person was unable to have other insurable earnings ;

(5) subtract the amount obtained under subparagraph 4 from the earnings of the qualifying year ; and

(6) add the amount obtained under subparagraph 2 to the earnings of the qualifying year calculated under subparagraph 5 and divide the total by 52.

The calculation in the first paragraph is made on request if the person proves to the satisfaction of the Minister that the person was in the situation referred to in that paragraph.

Despite section 20 of the Act, the qualifying period of a person whose qualifying year is the calendar year 2005 may not be extended.”

3. Section 42 of the Regulation is amended by inserting the following after paragraph 4 :

“(4.1) income replacement indemnities that a person received or is entitled to receive under the Act respecting occupational health and safety by reason of the fact that the person had ceased to work because continuation of work entailed physical dangers for the person or for the person’s unborn child or the child the person was breast-feeding ;”

4. The following is inserted after section 54 :

“**54.1.** Section 31.3 does not apply if a person’s qualifying year is the calendar year 2005.”

5. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, except sections 2 to 4 which have effect from 1 January 2006.

7590

M.O., 2006

Order number 2006-003 of the Minister of Transport dated 2 May 2006

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

CONCERNING the approval of weigh scales

CONSIDERING section 467 of the Highway Safety Code (R.S.Q., c. C-24.2) under which the axle load and the total loaded mass of a road vehicle or combination of road vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner he determines ;

1. The Minister of Transport approves the following wheel-load scales :

Make	Model	Serial No.
Haenni	WL-101	28536
Haenni	WL-101	28537
Haenni	WL-101	28538
Haenni	WL-101	28539
Haenni	WL-101	28540
Haenni	WL-101	28541
Haenni	WL-101	28542
Haenni	WL-101	28543
Haenni	WL-101	28544
Haenni	WL-101	28545
Haenni	WL-101	28546
Haenni	WL-101	28547
Haenni	WL-101	28548
Haenni	WL-101	28549
Haenni	WL-101	28550
Haenni	WL-101	28551
Haenni	WL-101	28552
Haenni	WL-101	28553
Haenni	WL-101	28554
Haenni	WL-101	28555
Haenni	WL-101	28556
Haenni	WL-101	28557

Make	Model	Serial No.	Make	Model	Serial No.
Haenni	WL-101	28558	Haenni	WL-101	28544
Haenni	WL-101	28559	Haenni	WL-101	28545
Haenni	WL-101	28560	Haenni	WL-101	28546
Haenni	WL-101	28561	Haenni	WL-101	28547
Haenni	WL-101	28562	Haenni	WL-101	28548
Haenni	WL-101	28563	Haenni	WL-101	28549
Haenni	WL-101	28564	Haenni	WL-101	28550
Haenni	WL-101	28565	Haenni	WL-101	28551
Haenni	WL-101	28566	Haenni	WL-101	28552
Haenni	WL-101	28567	Haenni	WL-101	28553
Haenni	WL-101	28568	Haenni	WL-101	28554
Haenni	WL-101	28569	Haenni	WL-101	28555
Haenni	WL-101	28570	Haenni	WL-101	28556
Haenni	WL-101	28571	Haenni	WL-101	28557
Haenni	WL-101	28572	Haenni	WL-101	28558
Haenni	WL-101	28573	Haenni	WL-101	28559
Haenni	WL-101	28574	Haenni	WL-101	28560
Haenni	WL-101	28575	Haenni	WL-101	28561
Haenni	WL-101	28576	Haenni	WL-101	28562
Haenni	WL-101	28577	Haenni	WL-101	28563
Haenni	WL-101	28578	Haenni	WL-101	28564
Haenni	WL-101	28579	Haenni	WL-101	28565
Haenni	WL-101	28580	Haenni	WL-101	28566
Haenni	WL-101	28581	Haenni	WL-101	28567
Haenni	WL-101	28582	Haenni	WL-101	28568
Haenni	WL-101	28583	Haenni	WL-101	28569
			Haenni	WL-101	28570
			Haenni	WL-101	28571
			Haenni	WL-101	28572
			Haenni	WL-101	28573
			Haenni	WL-101	28574
			Haenni	WL-101	28575
			Haenni	WL-101	28576
			Haenni	WL-101	28577
			Haenni	WL-101	28578
			Haenni	WL-101	28579
			Haenni	WL-101	28580
			Haenni	WL-101	28581
			Haenni	WL-101	28582
			Haenni	WL-101	28583

2. Schedule V of the Minister of Transport's Order dated May 22, 1990, published on March 29, 1995, in the *Gazette officielle du Québec*, amended by the Orders published on April 26, 1995, November 22, 1995, March 13, 1996, May 8, 1996, January 22, 1997, February 26, 1997, June 4, 1997, February 18, 1998, December 30, 1998, February 17, 1999, February 7, 2001, January 23, 2002, August, 28, 2002, November 13, 2002, September 3, 2003, April 7, 2004, March 23, 2005 and July 13, 2005 in the *Gazette officielle du Québec*, and by the other, is further amended by inserting, after HAENNI wheel-load scale, model WL-101, serial number 27321 of the following:

Make	Model	Serial No.
Haenni	WL-101	28536
Haenni	WL-101	28537
Haenni	WL-101	28538
Haenni	WL-101	28539
Haenni	WL-101	28540
Haenni	WL-101	28541
Haenni	WL-101	28542
Haenni	WL-101	28543

3. This Order takes effect on the date of its signature.

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

7593

M.O., 2006**Order number AM 2006-014 of the Minister of Natural Resources and Wildlife dated 4 May 2006**

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

CONCERNING the Lands in the domain of the State designated for development of wildlife resources Regulation*

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

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

CONSIDERING the second paragraph of section 85 of the Act, which provides that an order made by the Minister under that section shall be published in the *Gazette officielle du Québec*, together with the plan of the areas of land delimited, and that it comes into force on the date of its publication or on any later date indicated therein;

CONSIDERING section 191.1 of the Act, which provides that regulations made by the Government in particular under section 85 of the Act before 1 January 1987 shall continue to be in force until they are, from 17 June 1998, replaced or repealed by order of the Minister;

CONSIDERING the Lands in the domain of the State designated for development of wildlife resources Regulation made by the Government by Order in Council 1276-84 dated 6 June 1984;

CONSIDERING that it is expedient to correct the plan in Schedule 2 to the Regulation to rectify an error in the delimitation of the Abitibi beaver reserve;

ORDERS AS FOLLOWS :

Schedule 2 to the Lands in the domain of the State designated for development of wildlife resources Regulation is replaced by Schedule 2 attached hereto.

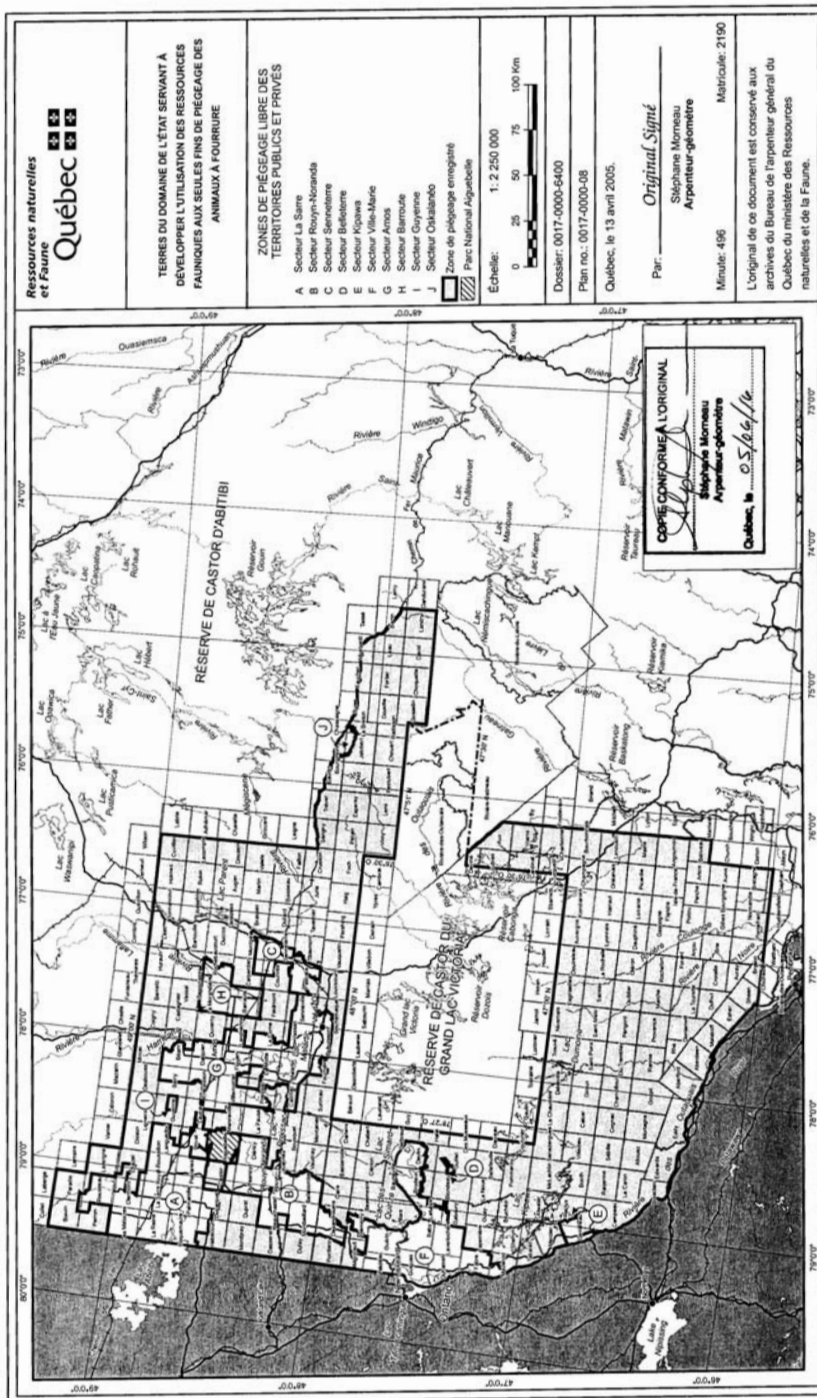
This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 4 May 2006

PIERRE CORBEIL,
*Minister of Natural Resources
and Wildlife*

* Lands in the domain of the State designated for development of wildlife resources Regulation, made by Order in Council 1276-84 dated 6 June 1984 (1984, *G.O.* 2, 2086), was last amended by Minister's Order 2004-038 dated 3 September 2004 (2004, *G.O.* 2, 2665). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

SCHEDULE 2



Draft Regulations

Draft Regulation

Deposit Insurance Act
(R.S.Q., c. A-26)

Regulation

— 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 application of the Deposit Insurance Act, the text of which appears below, was made by the Autorité des marchés financiers on 12 January 2006 and 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 allow an insurance company and a mutual insurance association to be a qualified institution under the Regulation respecting the application of the Deposit Insurance Act and to register with the Authority. The draft Regulation also specifies that sums payable under an insurance contract entered into by an insurance company or mutual insurance association, annuity contracts offered by an insurance company and the funds used to acquire shares issued by a financial services cooperative, an insurance company or a mutual insurance association, are not deposits.

The draft Regulation also reduces the rate of the premium paid to the deposit insurance fund by registered institutions from $\frac{1}{15}$ of 1% to $\frac{1}{25}$ of 1%, and provides that premiums are collected on 15 July and 15 December of the accounting period for which the premium was established. For the 2006-2007 premium accounting period, it provides that premiums already paid will be adjusted on payment of the final balance. The draft Regulation also increases the 60-day period to 75 days so that registered institutions may take certain actions relating to premiums to be paid or information to be provided to the Authority, and provides that agreements may be entered into between the Authority and compensation bodies in other sectors.

Lastly, the draft Regulation contains various consequential amendments.

To date, study of the matter has revealed no impact on enterprises, including small and medium-sized businesses except insurance companies and mutual insurance associations that may receive deposits on certain terms and conditions in compliance with the legislation in force.

Further information may be obtained on the draft Regulation within the 45-day period by contacting Maurice Lalancette, Director General, Encadrement et développement du secteur financier, Ministère des Finances, 800, place D'Youville, bureau 17.01, Québec (Québec) G1R 3P4; telephone: 418 646-7572; fax: 418 646-5744; e-mail: maurice.lalancette@finances.gouv.qc.ca

Interested persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 45-day period to the Minister of Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec) G1R 5L3.

MICHEL AUDET,
Minister of Finance

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

Deposit Insurance Act
(R.S.Q., c. A-26, s. 43, pars. *b, e.1, i, i.1, j, r, t* and *u*)

1. Section 1 of the Regulation respecting the application of the Deposit Insurance Act is amended

(1) by replacing subparagraph 2 of the second paragraph by the following:

“(2) funds used to acquire shares issued by a financial services cooperative, an insurance company or a mutual insurance association;”;

(2) by replacing subparagraph 4 of the second paragraph by the following:

* The Regulation respecting the application of the Deposit Insurance Act, approved by Order in Council 819-93 dated 9 June 1993 (1993, *G.O.* 2, 3333), has not been amended since its approval.

“(4) sums payable under an insurance contract of an insurance company or a mutual insurance association and annuity contracts entered into by an insurance company holding a licence issued under the Act respecting insurance (R.S.Q., c. A-32);”.

2. Section 4 is amended by replacing “the Board” in the second paragraph by “the Autorité des marchés financiers”.

3. Section 5 is amended by replacing “siège social” in the French text of paragraph 5 by “siège”.

4. Section 6 is replaced by the following:

“6. In addition to the institutions referred to in section 28 of the Act, the following are qualified institutions that may register with the Authority:

(1) a federation established under the Act respecting financial services cooperatives (R.S.Q., c. C-67.3);

(2) the Caisse centrale Desjardins du Québec; and

(3) an insurance company and a mutual insurance association holding a licence issued under the Act respecting insurance.”.

5. Section 11 is amended

(1) by replacing “the Board” wherever those words appear by “the Authority”, with the necessary modifications;

(2) by replacing “President and Chief Executive Officer” by “president and director general”.

6. Section 19 is amended in paragraph 1 by replacing “ $\frac{1}{15}$ ” by “ $\frac{1}{25}$ ” and “the Board” by “the Authority”.

7. Section 20 is amended by replacing “the Board” by “the Authority” and “60” by “75”.

8. Section 21 is amended by replacing “the Board” by “the Authority”, “30 June” by “15 July” and “31 December” by “15 December”.

9. Section 22 is amended in subparagraph 1 of the first paragraph by replacing “ $\frac{1}{15}$ ” by “ $\frac{1}{25}$ ” and “the Board” by “the Authority”.

10. Section 24 is amended

(1) in paragraph 1 by replacing “the Board” by “the Authority” and “60” by “75”;

(2) in paragraph 2

(a) by replacing “the Board” by “the Authority” and “60” by “75” in subparagraph *a*;

(b) by replacing “the Board” by “the Authority” and “31 December” by “15 December” in subparagraph *b*.

11. Sections 26 to 28 are replaced by the following:

“**26.** An application by a security fund under section 40.3.1 of the Act to have the premium established for any registered institution which is a credit union that is a member of the security fund reduced by one-half must be filed not later than 31 March preceding the accounting period for premiums in respect of which the application is filed.

The application must be in writing and contain the following:

(1) a resolution of the board of directors of the security fund authorizing the application;

(2) a list of the credit unions that are members of the security fund; and

(3) the security fund’s financial statements for the calendar year ending on 31 December preceding the accounting period for premiums.

27. The report on the activities of the security fund required by section 40.3.2 of the Act must cover the period from 1 January to 31 December of the year preceding the accounting period for premiums.

The report must include the following:

(1) the method for calculating every contribution ordered or required by the security fund;

(2) the amount of every contribution established for each credit union that is a member of the security fund or the total amount of the contributions, and the terms of payment of the contributions established;

(3) the sums paid in respect of every contribution by each credit union or the total amount of those sums, and a list of the credit unions, if any, that have not paid sums;

(4) the amounts of loans made and grants awarded to each credit union, and the loan repayment terms;

(5) the repayment guarantees for an advance or loan made to a credit union that is a member of the security fund;

(6) the agreements entered into with each credit union pursuant to which its affairs are managed by the security fund for a specified period, and the conditions of the agreements;

(7) the acquisition of all or part of the assets of a credit union that is a member of the security fund, and the conditions of the acquisition;

(8) the measures that each credit union is required to take to correct certain of its financial and administrative practices and that were determined by the security fund at the time it made a loan or awarded a grant to the credit unions;

(9) the names of the credit unions for which the security fund has acted as a liquidator or receiver;

(10) the names of the credit unions for which the security fund has acted as a provisional administrator for the purposes of the Act respecting financial services cooperatives;

(11) a list of the credit unions inspected, the number and dates of the inspections and a list of the credit unions not inspected;

(12) a list of the investments made by the security fund; and

(13) a description of the security fund's activities and a statement of its operations.

28. If, during an accounting period for premiums, a registered credit union becomes or ceases to be a member of a security fund whose member credit unions benefit from a reduction in premiums, the credit union benefits or ceases to benefit, as the case may be, from the reduction in premiums for the unelapsed portion of that period.”

12. Sections 35 and 36 are amended by replacing “¹/₁₅” by “¹/₂₅”.

13. Section 38 is amended by replacing “the Board” by “the Authority”, “30 June” by “15 July” and “31 December” by “15 December”.

14. Section 40 is amended

(1) by replacing “the Board” wherever those words appear by “the Authority”;

(2) by replacing subparagraph 1 of the third paragraph by the following:

“(1) an agreement has been entered into between the Authority and the syndic or liquidator of the institution or bank, or between the Authority and the Canada Deposit Insurance Corporation, or between the Authority and another body that administers a similar plan or another compensation body;”.

15. Section 43 is replaced by the following:

“**43.** The official logo attesting to registration with the Authority is as follows:



”.

16. Section 44 is replaced by the following:

“**44.** A registered institution wishing to inform the public that deposits made with it are guaranteed by the Authority may use only the phrase “Registered under the Deposit Insurance Act with the Autorité des marchés financiers” in its advertising.”.

17. Section 47 is amended

(1) by replacing “the Board” in the first and second paragraphs by “the Authority”;

(2) by replacing the third paragraph by the following:

“The sending of the annual statement and annual report to the Authority under the Act respecting insurance, the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01) or the Act respecting financial services cooperatives fulfils the requirement of the first paragraph.”.

18. Section 48 is amended by replacing the second paragraph by the following:

“The sending of a report of the institution's auditor to the Authority under the Act respecting insurance, the Act respecting trust companies and savings companies or the Act respecting financial services cooperatives fulfils the requirement of the first paragraph.”.

19. Section 50 is amended

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

“Notwithstanding the foregoing, where an institution’s affairs are examined by the Authority in accordance with section 42 of the Act and, in whole or in part, under another Act that applies to the institution, only that portion of the costs attributable solely to the examination under section 42 of the Act is to be borne by the institution so examined.”;

(2) by replacing “the Board” wherever those words appear in the third paragraph by “the Authority”.

20. Section 51 is amended

(1) by replacing “siège social” in the French text by “siège”;

(2) by replacing “the Board” by “the Authority”.

21. Schedule I is amended

(1) by replacing “Régie de l’assurance-dépôts du Québec” wherever those words appear by “Autorité des marchés financiers”;

(2) by replacing “siège social” wherever those words appear in the French text by “siège”;

(3) by replacing “has been affiliated with” in item 7 by “is a member of”.

22. Schedules II and IV are amended

(1) by replacing “Régie de l’assurance-dépôts du Québec” wherever those words appear by “Autorité des marchés financiers”;

(2) by replacing “siège social” wherever those words appear in the French text by “siège”.

23. Schedules V and VI are amended

(1) by replacing “Régie de l’assurance-dépôts du Québec” by “Autorité des marchés financiers”;

(2) by replacing “ $\frac{1}{15}$ ” in item 4 by “ $\frac{1}{25}$ ”.

24. Schedules VII and VIII are amended

(1) by replacing “Régie de l’assurance-dépôts du Québec” wherever those words appear by “Autorité des marchés financiers”;

(2) by replacing “siège social” wherever those words appear in the French text by “siège”.

25. Sections 10, 12, 14, 16 to 18, 23, 25, 30, 33, 34, 39, 42 and 46 and Schedules III and IX are amended by replacing “Régie de l’assurance-dépôts du Québec” by “Autorité des marchés financiers” and “the Board” by “the Authority”, wherever those words appear and, if applicable, with the necessary modifications.

26. For the 2006-2007 premium accounting period beginning on 1 May 2006, the premium payable by a registered institution is reduced from $\frac{1}{15}$ to $\frac{1}{25}$ of 1% in accordance with this Regulation. In the event that the first instalment of the premium payable to the Autorité des marchés financiers has been made, the premium will be adjusted on payment of the balance, which is payable at the latest on 15 December 2006.

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

7591

Draft Regulation

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

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

Physicians**— Professional activities that may be engaged in within the framework of pre-hospital emergency services and care**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Collège des médecins du Québec, at its meeting held on March 31, 2006, adopted the “Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care”.

The Regulation has been transmitted to the Office des professions du Québec, which will examine it pursuant to section 95 of the Professional Code. It will then be submitted, with the recommendation of the Office, to the Government which may, under the same section, approve it with or without amendment, after the expiry of 45 days following this publication.

According to the Collège des médecins du Québec, this regulation is principally designed to update the authorized primary pre-hospital care activities and add the diploma of college studies as a prerequisite for the activities authorized for ambulance technicians.

Further information may be obtained by contacting M^c Linda Bélanger, legal counsel for the Legal Services Division, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; tel.: 514 933-4441 or 1 888 633-3246; fax: 514 933-3276.

Any interested person having comments to make is requested to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) GIR 5Z3. These 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 has adopted the regulation, as well as to the persons, departments and agencies concerned.

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

Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care

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

1. The purpose of this Regulation is to determine, amongst the professional activities that physicians may engage in, the professional activities that, pursuant to the terms and conditions set out herein, may be engaged in by a first responder, an ambulance technician trained in primary care, an ambulance technician trained in advanced care or by other persons within the framework of pre-hospital emergency services and care.

2. In the absence of a first responder or ambulance technician, any person who has received training in cardiopulmonary resuscitation including the use of the defibrillator that meets the standards prescribed by the American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care may use the automated external defibrillator when performing cardio-respiratory resuscitation.

3. In the absence of a first responder or ambulance technician, any person having received training in the administration of adrenalin approved by the regional or national medical director of pre-hospital emergency services may administer adrenalin with an auto-injection device to a person known to have an allergy in the case of an acute anaphylactic allergic reaction.

4. The professional activities authorized in sections 5, 7 and 11 are engaged in under the clinical protocols developed by the Minister of Health and Social Services pursuant to section 3 of the Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2) and approved by the Collège des médecins du Québec.

DIVISION I ACTIVITIES AUTHORIZED FOR A FIRST RESPONDER

5. The first responder may:

(1) use the automated external defibrillator for cardiopulmonary resuscitation;

(2) administer adrenalin with an auto-injection device in case of an acute anaphylactic allergic reaction.

“First responder” means a person whose name is on the list of first responders drawn up by an agency within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or by the Corporation d’urgences-santé.

DIVISION II ACTIVITIES AUTHORIZED FOR AN AMBULANCE TECHNICIAN TRAINED IN PRIMARY CARE

6. To be authorized to engage in the professional activities described in section 7, the ambulance technician must hold a diploma or an attestation of college studies in ambulance technician training.

The ambulance technician must also hold:

(1) a valid ambulance technician card, issued by the responsible authority designed by the Minister of Health and Social Services and be registered in the national workforce registry; or

(2) a valid identification card and a compliance certificate issued by an agency or by the Corporation d’urgences-santé.

7. In addition to the activities contemplated by section 5, the ambulance technician trained in primary care may:

(1) assess the presence of signs or symptoms allowing the application of the protocols contemplated in section 4 in a person with a health problem that requires emergency intervention;

(2) insert an dual lumen esophago-tracheal tube in an adult person experiencing cardiopulmonary arrest or with an impaired state of consciousness and a respiratory rate of less than 8 breaths per minute;

(3) administer sublingually, orally, intranasally, subcutaneously, intramuscularly or by inhalation the necessary substances or medications to a person who presents a health problem requiring an emergency intervention;

(4) introduce a solution not containing medication using a short catheter at the request and in the presence of an ambulance technician trained in advanced care;

(5) use the semi-automatic defibrillator for cardiopulmonary resuscitation;

(6) provide clinical monitoring of the condition of a person who presents a health problem requiring an emergency intervention.

8. Is authorized to engage in the professional activities referred to in section 5 and section 7 any person to whom a valid identity card and a compliance certificate is issued by a regional board or by Corporation d'urgences-santé between April 1, 2000 and April 1, 2003, and who holds:

(1) a valid ambulance technician card, issued by the responsible authority designed by the Minister of Health and Social Services, and registered on the national workforce registry; or

(2) an identification card and a compliance certificate issued by an agency or the Corporation d'urgences-santé.

9. A student duly enrolled in a program of studies leading to a diploma contemplated in subparagraph 1) of section 6 may, in the presence of an ambulance technician who is recognized as an instructor by an institution of collegial studies, engage in the professional activities contemplated by section 5 and section 7 insofar as they are required for the completion of this program.

DIVISION III **ACTIVITIES AUTHORIZED FOR AN AMBULANCE TECHNICIAN TRAINED IN ADVANCED CARE**

10. In order to be authorized to engage in the professional activities described in section 11, the ambulance technician trained in advanced care must, as of April 1, 2002, have successfully completed the advanced training recognized by the Corporation d'urgences-santé and approved by the Collège des médecins du Québec acting on behalf of the Corporation d'urgences-santé.

The ambulance technician must also hold:

(1) either a valid ambulance technician card issued by the responsible authority designed by the Minister of Health and Social Services, and registered on the national workforce registry;

(2) or an identification card and a compliance certificate, issued by the Corporation d'urgences-santé.

11. The ambulance technician trained in advanced care may, in addition to the activities referred to in sections 5 and 7:

(1) administer intravenously or endotracheally the medications required by an adult person presenting a severe arrhythmia;

(2) administer intravenously glucose to a person identified as diabetic who presents impaired consciousness due to hypoglycemia;

(3) proceed with a direct laryngoscopy of a person more than one year of age whose respiratory tract is obstructed by a foreign body and proceed to withdraw it.

12. This Regulation replaces the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services approved by Order in Council No. 233-2003 on March 12, 2003.

7587

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Pension plans

— Exemption of certain categories from the application of the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of the Supplemental Pension Plans Act, the text of which appears below, may be made by the government upon the expiry of 45 days following this publication.

The draft Regulation makes changes to the simplified pension plan in order to allow an employer to stipulate that the right of a member to receive a refund of his not locked-in member contributions or to transfer them is deferred to the end of his active membership.

Further information may be obtained from Mr. Pierre Bégin, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3; tel.: 418 657-8732 ext. 3914; fax: 659-8985; e-mail: pierre.begin@rrq.gouv.qc.ca

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the period mentioned above, to Mr. Pierre Prémont, President and General Manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the application of the Supplemental Pension Plans Act.

MICHELLE COURCHESNE,
Minister of Employment and Social Solidarity

Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act*

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 2, 2nd para.)

1. The Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act is amended by adding, after section 11, the following section:

“**11.0.1** The employer may stipulate that the right of a member, provided for in paragraph 5.1 of section 10, to receive a refund of his not locked-in member contributions or to transfer them is deferred to the end of his active membership. Such stipulation covers service rendered before and after its coming into effect.

The stipulation shall provide that the member may, nevertheless, transfer, in whole or in part, such contributions to a registered retirement savings plan to establish a home buyer’s plan or a lifelong learning plan. The member must declare in writing to the financial institution that he is transferring the contributions for that sole purpose.

Where the employer makes the stipulation after joining the plan, the financial institution that administers the plan shall notify the members 90 days before the coming into force of the stipulation.”

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

7588

* The last amendments to the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act, approved by Order in Council 1160-90, dated 8 August 1990 (*G.O.* 1990, 2, 2333), were made by the regulation made by Order in Council 436-2004, dated 6 May 2004 (*G.O.* 2004, 2, 1615). For the preceding amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2005, updated to 1 September 2005.

Index

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

	Page	Comments
Approval of weigh scales (Highway Safety Code, R.S.Q., c. C-24.2)	1462	N
Conservation and development of wildlife, An Act respecting the... — Lands in the domain of the State designated for development of wildlife resources (R.S.Q., c. C-61.1)	1464	N
Deposit Insurance Act — Regulation (R.S.Q., c. A-26)	1467	Draft
Exemption of certain categories of pension plans from the application of the Act (Supplemental Pension Plans Act, R.S.Q., c. R-15.1)	1473	Draft
Highway Safety Code — Approval of weigh scales (R.S.Q., c. C-24.2)	1462	N
Highway Safety Code — Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation — Ratification and making (R.S.Q., c. C-24.2)	1457	N
Lands in the domain of the State designated for development of wildlife resources (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1464	N
Medical Act — Physicians — Professional activities that may be engaged in within the framework of prehospital emergency services and care (R.S.Q., c. M-9)	1470	Draft
Parental insurance and other legislative provisions, An Act to amend the Act respecting... — Regulation 2 under section 108 (2005, c. 13)	1461	N
Physicians — Professional activities that may be engaged in within the framework of prehospital emergency services and care (Medical Act, R.S.Q., c. M-9)	1470	Draft
Physicians — Professional activities that may be engaged in within the framework of prehospital emergency services and care (Professional Code, R.S.Q., c. C-26)	1470	Draft
Professional Code — Physicians — Professional activities that may be engaged in within the framework of prehospital emergency services and care (R.S.Q., c. C-26)	1470	Draft
Reciprocal Agreement on driver's licence exchange between the Government of Québec and the Government of the Swiss Confederation — Ratification and making (Highway Safety Code, R.S.Q., c. C-24.2)	1457	N
Supplemental Pension Plans Act — Exemption of certain categories of pension plans from the application of the Act (R.S.Q., c. R-15.1)	1473	Draft

