

Gazette
officielle

^{DU}
Québec

Part

2

No. 33

16 August 2006

Laws and Regulations

Volume 138

Summary

Table of Contents
Regulations and other acts
Draft Regulations
Decisions
Notices
Index

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

Page

Regulations and other acts

715-2006 Criteria for the selection of the director of criminal and penal prosecutions	2835
736-2006 Income support (Amend.)	2836
Certain terms of employment applicable to officers of agencies and health and social services institutions (Amend.)	2836
Certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (Amend.)	2841
Designation procedure for certain members of the board of directors of a public institution	2845
Election by the public of certain members of the board of directors of a public institution	2862
Health services and social services, An Act respecting... — Election by the public of certain members of the board of directors of the public institution referred to in Part IV.2	2878
Health services and social services, An Act respecting... — Procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2	2895
List of medications covered by the basic prescription drug insurance plan (Amend.)	2911
Rules of practice of the Superior Court of the district of Québec (Amend.)	2914

Draft Regulations

Amounts payable by municipalities for the services provided by the Sûreté du Québec	2917
Evidence, procedure and practice before the Commission des lésions professionnelles	2919

Decisions

Commission des transports du Québec — General fixation of rates for private transportation by taxi	2923
Commission des transports du Québec — General fixing of limousine rates – Service from Montréal-Pierre Elliott Trudeau International Airport	2925

Notices

Piedmont-du-Mont-Saint-Hilaire Nature Reserve — Recognition	2927
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Regulations and other acts

Gouvernement du Québec

O.C. 715-2006, 8 August 2006

An Act respecting the Director of Criminal and Penal Prosecutions
(2005, c. 34)

Director of Criminal and Penal Prosecutions — Criteria for the selection

Regulation respecting the criteria for the selection of the Director of Criminal and Penal Prosecutions

WHEREAS, under section 2 of the Act respecting the Director of Criminal and Penal Prosecutions (2005, c. 34), the Government, on the recommendation of the Minister of Justice, appoints the Director from among the persons declared qualified to hold the office by a selection committee formed by the Minister;

WHEREAS, under the third paragraph of section 3 of the Act, the selection committee evaluates the candidates' aptitude on the basis of their knowledge, their experience and their qualifications, according to the criteria determined by government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the criteria for the selection of the Director of Criminal and Penal Procedures was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation respecting the criteria for the selection of the Director of Criminal and Penal Procedures, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the criteria for the selection of the Director of Criminal and Penal Prosecutions

An Act respecting the Director of Criminal and Penal Prosecutions
(2005, c. 34, s. 3)

1. The selection committee formed by the Minister of Justice pursuant to section 3 of the Act respecting the Director of Criminal and Penal Prosecutions (2005, c. 34) is to evaluate the aptitude of the candidates for the office of Director of Criminal and Penal Prosecutions according to the following criteria:

(1) knowledge criteria:

- knowledge of criminal and penal law and the related procedure;
- knowledge of the field of administration of criminal and penal justice and its functioning;
- knowledge of the major social issues, phenomenon of crime and related public policies;
- management knowledge, particularly in the area of human resources management;

(2) requisite experience:

- experience as an advocate or in another capacity, and relevance of the experience to the exercise of the functions of Director;

(3) aptitudes:

- judgment and decisiveness;
- open-mindedness, perceptiveness and level-headedness;
- ability to develop a strategic vision;
- moral courage, ethics, integrity and fairness;
- notion of the function of Director;
- sensitivity to changes in social values;
- ability to communicate and quality of expression.

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

7744

Gouvernement du Québec

O.C. 736-2006, 8 August 2006

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)

Income support — Amendments

Regulation to amend the Regulation respecting income support

WHEREAS, in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting income support was published on page 1675 in Part 2 of the *Gazette officielle du Québec* of 7 June 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting income support, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001, s. 156, pars. 15 and 19 and s. 160)

1. Section 117 of the Regulation respecting income support is amended

(1) by replacing “\$80,000” in the part preceding subparagraph 1 of the first paragraph by “\$90,000”;

(2) by striking out the last sentence of the second paragraph.

2. This Regulation comes into force on 1 September 2006.

7745

M.O., 2006

Order number 2006-018 of the Minister of Health and Social Services dated 4 August 2006

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

CONSIDERING the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions made by Order in Council 1218-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the regulation made by Order in Council 515-2006 dated 7 June 2006 (2006, *G.O.* 2, 1734). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 April 2006.

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions”, approved by T.B. 193821 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions*

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 487.2)

1. Section 2 of the Regulation to amend the regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions is amended by replacing the words “if the person holds and interim position of officer” with the words “such person” in the second sentence of the last paragraph.

* The previous amendments to the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions enacted by Order in Council 1218-96 of 25 September 1996 (1996, *G.O.* 2, 5749) were brought by the regulation approved by Ministerial Order 2003-005 of 11 April 2003 (2003, *G.O.* 2, 2247). For earlier amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 April 2006.

2. Section 3 of the regulation is amended:

(1) by replacing the words “inc. and the Association des cadres de la santé et des services sociaux du Québec” with the words “and the APER santé et services sociaux” in the definition of “officers’ association”;

(2) by replacing the words “the Association des CLSC et des CHSLD du Québec” with the words “Association québécoise d’établissements de santé et de services sociaux” and by deleting the words “, the Association des hôpitaux du Québec, the Conférence des régions régionales de la santé et des services sociaux du Québec” in the definition of “employers’ association”;

(3) by inserting the words “and the Pension Plan of Management Personnel (RRPE) instituted pursuant to the Act respecting the pension plan of management personnel (R.S.Q., c. R-12.1)” at the end of the definition of “retirement plan”.

3. Section 3.2 of the regulation is amended by replacing the words “inc. and of the Association des cadres de la santé et des services sociaux du Québec” with the words “and the APER santé et services sociaux”.

4. Section 12 of the regulation is amended by replacing the words “on 1 April 2003” with the following: “on 1 April of 2006, 2007, 2008 and 2009” in the first paragraph.

5. Section 12.1 of the regulation is amended by replacing the words “on 1 April 2003” with the following: “on 1 April of 2006, 2007, 2008 and 2009”.

6. Section 12.2 of the regulation is replaced by the following:

“**12.2.** The salary rate of an officer contemplated in section 8.1 who holds a specialist certificate issued by the Collège des médecins du Québec and who exercises his duties in an isolated region referred to in section 1.1.1 of Schedule 19 to the Framework Agreement dated 1 October 1995 between the Minister and the Fédération des médecins spécialistes du Québec is increased by 45% from 1 October 2003. If, instead, he exercises his duties in a remote region contemplated in section 1.2.4 of the Appendix or in another region contemplated in section 1.3.3 of the Appendix, the salary rate of the officer is then increased by 45%, 30%, 25%, 15% or 7% depending on whether he exercises his duties in territory 5, 4, 3, 2 or 1. An electronic version of the Framework Agreement, updated by the Régie de l’assurance maladie du Québec, is available on the Régie’s website at www.ramq.gouv.qc.ca.”

7. Section 12.3 of the regulation is amended:

(1) by deleting the words “20% and 40%” from the first sentence;

(2) by adding the following paragraph to the end of the section:

“The amount stipulated in the first paragraph is increased to \$219,000 from 1 January 2003 and to \$228,000 from 1 January 2004.”

8. Section 12.4 of the regulation is replaced by the following:

“**12.4.** The salary rate of an officer contemplated in section 8.1 who is a general physician and who carries out his duties in one of the territories with insufficient numbers of health professionals referred to in section 1 of Schedule XII to the General Agreement dated 1 September 1976 between the Minister and the Fédération des médecins omnipraticiens du Québec is increased by 35% if he carries out his duties in the territory 2 group, by 30% if he carries out his duties in the territory 1 or 3 groups, by 20% if he carries out his duties in the territory 4 or 5 groups and by 15% if he carries out his duties in the territory 6 group. An electronic version of the General Agreement, updated by the Régie de l'assurance maladie du Québec, is available on the Régie's website at www.ramq.gouv.qc.ca.

The salary rate of an officer contemplated in section 8.1 who is a general physician and who carries out his duties in one of the territories referred to in section 1 of Schedule XII-A to the General Agreement referred to in the first paragraph is increased by 15%; it is increased by 5% if he carries out his duties in an institution contemplated in section 3 or 4 of the Schedule, with regard to the mission indicated therein and, if applicable, in the facility specified beside the name of the institution.

The salary rate increases stipulated in the first paragraph shall be increased by 5% from the fourth year of continuous service in the territory 1, 2 or 5 groups and from the twentieth year of continuous service for the territory 4 group. They shall be increased by 10% from the seventh year of continuous service in the territory 5 group, and from the twentieth year of continuous service for the territory 1 group.

The salary rate paid pursuant to the first and second paragraphs shall apply from 1 October 2003, except in the case of an officer who exercises his duties within an institution whose name was introduced in section 3 or 4 of Schedule XII-A to the General Agreement referred to

in the first paragraph by Amendment No. 88 to the General Agreement, in which case the salary rate shall apply from 1 February 2005.”

9. Section 12.5 of the regulation is amended:

(1) by replacing the words “For the purposes of sections 12.2 and 12.3” with the words “For the purposes of the third paragraph of section 12.4”;

(2) by replacing the words “by Ministerial Order 92-01 dated 17 January 1992” with the words “in Schedule XII to the General Agreement dated 1 September 1976 between the Minister and the Fédération des médecins omnipraticiens du Québec”.

10. The regulation is amended by inserting the following section after section 12.5:

“**12.6.** For the purposes of sections 12.2 and 12.4, the geographical boundaries referred to in these sections are those in force on [*insert date preceding date on which this section is enacted*] notwithstanding any amendment to Schedules 19 and 20 to the Framework Agreement dated 1 October 1995 or to Schedules XII and XII-A to the General Agreement dated 1 September 1976”.

11. Section 13 of the regulation is amended by replacing the words “section 24.4” by the words “this section” in the second paragraph.

12. The first paragraph of section 63 of the regulation is amended:

(1) by replacing the words “inc. and the Association des cadres de la santé et des services sociaux du Québec” with the words “and the APER santé et services sociaux”;

(2) by replacing the words “Conférence des régions régionales de la santé et des services sociaux du Québec” with the words “health and social services agencies”.

13. Section 116 of the regulation is amended by deleting the words “the Conférence des régions régionales,” in the third paragraph.

14. Section 130.22 of the regulation is amended by replacing the words “inc. and the Association des cadres de la santé et des services sociaux du Québec” with the words “and the APER santé et services sociaux” in the third paragraph.

15. Section 133.3 of the regulation is amended by replacing the words: “Sections 12.2 to 12.5 have effect from 1 July 2000, section” with the word “Section”.

16. Sections 134.2, 134.3, 134.4 and 134.5 of the regulation are repealed.

17. Schedules 1 and 2 of the regulation are replaced with the following :

“SCHEDULE 1
(s. 12)

SALARY CLASSES FOR OFFICERS

Classes	2003 04 01		2006 04 01		2007 04 01		2008 04 01		2009 04 01	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
2	27 954	36 344	28 513	37 071	29 083	37 812	29 665	38 568	30 258	39 339
3	29 530	38 389	30 121	39 157	30 723	39 940	31 337	40 739	31 964	41 554
4	31 108	40 438	31 730	41 247	32 365	42 072	33 012	42 913	33 672	43 771
5	32 691	42 498	33 345	43 348	34 012	44 215	34 692	45 099	35 386	46 001
6	34 269	44 552	34 954	45 443	35 653	46 352	36 366	47 279	37 093	48 225
7	36 277	47 161	37 003	48 104	37 743	49 066	38 498	50 047	39 268	51 048
8	38 403	49 923	39 171	50 921	39 954	51 939	40 753	52 978	41 568	54 038
9	40 653	52 846	41 466	53 903	42 295	54 981	43 141	56 081	44 004	57 203
10	43 033	55 941	43 894	57 060	44 772	58 201	45 667	59 365	46 580	60 552
11	45 553	59 217	46 464	60 401	47 393	61 609	48 341	62 841	49 308	64 098
12	48 221	62 684	49 185	63 938	50 169	65 217	51 172	66 521	52 195	67 851
13	51 043	66 355	52 064	67 682	53 105	69 036	54 167	70 417	55 250	71 825
14	54 032	70 241	55 113	71 646	56 215	73 079	57 339	74 541	58 486	76 032
15	57 194	74 354	58 338	75 841	59 505	77 358	60 695	78 905	61 909	80 483
16	60 546	78 708	61 757	80 282	62 992	81 888	64 252	83 526	65 537	85 197
17	64 094	83 318	65 376	84 984	66 684	86 684	68 018	88 418	69 378	90 186
18	67 844	88 197	69 201	89 961	70 585	91 760	71 997	93 595	73 437	95 467
19	71 817	93 362	73 253	95 229	74 718	97 134	76 212	99 077	77 736	101 059
20	76 021	98 829	77 541	100 806	79 092	102 822	80 674	104 878	82 287	106 976
21	80 474	104 616	82 083	106 708	83 725	108 842	85 400	111 019	87 108	113 239
22	85 184	110 742	86 888	112 957	88 626	115 216	90 399	117 520	92 207	119 870
23	90 176	117 228	91 980	119 573	93 820	121 964	95 696	124 403	97 610	126 891
24	95 456	124 093	97 365	126 575	99 312	129 107	101 298	131 689	103 324	134 323

Classes	2003 04 01		2006 04 01		2007 04 01		2008 04 01		2009 04 01	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
25	101 046	131 360	103 067	133 987	105 128	136 667	107 231	139 400	109 376	142 188
26	106 965	139 053	109 104	141 834	111 286	144 671	113 512	147 564	115 782	150 515
27	113 225	147 195	115 490	150 139	117 800	153 142	120 156	156 205	122 559	159 329
28	119 856	155 815	122 253	158 931	124 698	162 110	127 192	165 352	129 736	168 659
29	126 877	164 939	129 415	168 238	132 003	171 603	134 643	175 035	137 336	178 536
30	134 305	174 599	136 991	178 091	139 731	181 653	142 526	185 286	145 377	188 992

These salary rates shall determine, for each of these salary classes, the minimum and maximum salary limits for the annual salary of a full-time officer.

The conversion of the annual salary of an officer into a weekly salary is obtained by dividing the annual salary by 52.18. The conversion of the annual salary of an officer into a daily salary is obtained by dividing the annual salary by 260.9.

SCHEDULE 2

(s. 12.1)

SALARY RATE FOR OFFICERS WHO ARE PHYSICIANS

Classes	2003 04 01		2006 04 01		2007 04 01		2008 04 01		2009 04 01	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
A	106 983	106 983	109 123	109 123	111 305	111 305	113 531	113 531	115 802	115 802
B	113 248	113 248	115 513	115 513	117 823	117 823	120 179	120 179	122 583	122 583
C	119 878	119 878	122 276	122 276	124 722	124 722	127 216	127 216	129 760	129 760
D	126 896	126 896	129 434	129 434	132 023	132 023	134 663	134 663	137 356	137 356
E	134 327	134 327	137 014	137 014	139 754	139 754	142 549	142 549	145 400	145 400
F	142 194	142 194	145 038	145 038	147 939	147 939	150 898	150 898	153 916	153 916
G	150 520	150 520	153 530	153 530	156 601	156 601	159 733	159 733	162 928	162 928
H	159 335	159 335	162 522	162 522	165 772	165 772	169 087	169 087	172 469	172 469

”.

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

M.O., 2006**Order number 2006-019 of the Minister of Health and Social Services dated 4 August 2006**

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions

CONSIDERING the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive director of regional boards and of public health and social services institutions made by Order in Council 1217-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions”, approved by T.B. 193821 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions*

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 487.2)

1. Section 4 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions is amended:

(1) by replacing the words “Association des CLSC et des CHSLD du Québec” with the words “Association québécoise d’établissements de santé et de services sociaux” and by deleting the words “the Association des hôpitaux du Québec, the Conférence des régies régionales de la santé et des services sociaux du Québec” in the definition of “employers’ association”;

(2) by replacing, in the definition of “senior managerial advisor” the words “executive director” with the word “Minister”;

(3) by inserting the words “and the Pension Plan of Management Personnel (RRPE) instituted pursuant to the Act respecting the pension plan of management personnel (R.S.Q., c. R-12.1)” at the end of the definition of “retirement plan”.

2. Section 5 of the regulation is amended by replacing the words “a regional board” with the words “the Régie régionale de la santé et des services sociaux du Nunavik covered by section 530.31.2 of the Act”.

* The previous amendments to the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions enacted by Order in Council 1217-96 of 25 September 1996 (1996, *G.O.* 2, 4173) were brought by the regulation approved by Ministerial Order 2003-006 of 11 April 2003 (2003, *G.O.* 2, 1499). For earlier amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 April 2006.

3. Section 8 of the regulation is amended:

(1) by replacing the words “an executive director of a regional board” with the words “the executive director of the Régie régionale de la santé et des services sociaux du Nunavik” in the first paragraph;

(2) by replacing the words “a regional board” with the words “the Régie régionale de la santé et des services sociaux du Nunavik” in the first sentence of the second paragraph.

4. Section 10 of the regulation is amended by replacing the words “a regional board” with the words “the Régie régionale de la santé et des services sociaux du Nunavik” in the first paragraph.

5. Section 12 of the regulation is amended:

(1) by replacing the words “a regional board” with the words “the Régie régionale de la santé et des services sociaux du Nunavik” in the first paragraph;

(2) by deleting the words “to the Conférence des régies régionales de la santé et des services sociaux,” in the first sentence of the second paragraph;

(3) by replacing the words “regional board” with the words “Régie régionale de la santé et des services sociaux du Nunavik” in the first sentence of the third paragraph.

6. Section 19 of the regulation is amended by inserting the following after the second sentence in the first paragraph:

“This contract shall also provide that, in the event of a termination or non-renewal of appointment, the executive director shall receive the 90-day notice stipulated in section 132. He shall also benefit from the provisions regarding severance pay in accordance with the terms and conditions stipulated in sections 134 to 141 of this Regulation.”.

7. The regulation is amended by inserting the following after section 19:

“**19.1** Any draft engagement contract of an executive director shall be sent to the president and executive director of the agency for authorization.

The draft contract authorized by the president and executive director of the agency and agreed upon with the executive director shall be the subject of a resolution of the board of directors of the employer.

In the event of a change to an engagement contract of an executive director, the board of directors shall proceed in accordance with this section.”.

8. Section 20 of the regulation is replaced by the following:

“The resolutions of the board of directors respecting the appointment of the executive director and the engagement contract of the executive director shall be sent to the president and executive director of the agency and to the Minister, as shall any subsequent change to the contract.”.

9. Section 22 of the regulation is amended by replacing the fourth paragraph with the following:

“Upon renewal of the engagement contract of the executive director, the board of director shall proceed in accordance with sections 19.1 and 20.”.

10. Section 27 of the regulation is amended by replacing the words “executive director or assistant executive director” with the words “senior administrator”.

11. Section 27.1 of the regulation is amended:

(1) by replacing the words “executive director or assistant executive director” with the words “senior administrators”;

(2) by replacing the words “Conférence des régies régionales” with the word “agencies” in the third paragraph.

12. Section 27.2 of the regulation is amended by replacing the words “executive director or assistant executive director” with the words “senior administrator”.

13. Sections 27.3 and 27.4 of the regulation are repealed.

14. The last sentence of section 27.5 of the regulation is replaced with the following:

“There shall be no appeal regarding a classification of a position of senior administrator made under sections 27 and 27.2.”.

15. Section 28 of the regulation is replaced with the following:

“**28.** The salary classes determined in accordance with subdivision 1 of division 2 of chapter 3 correspond to the salary classes adjusted by 2% on 1 April 2006, on 1 April 2007, on 1 April 2008 and on 1 April 2009. The adjusted salary classes are listed in Schedule 1.”.

16. Section 74 of the regulation is amended:

(1) by replacing the words “inc. and the Association des cadres de la santé et des services sociaux du Québec” with the words “and the APER santé et services sociaux” in the first hyphen;

(2) by replacing the words “Conférence des régions régionales de la santé et des services sociaux du Québec” with the word “agencies” in the second hyphen.

17. Section 118 of the regulation is amended by deleting the words “the Conférence des régions régionales,” in the third paragraph.

18. The second paragraph of section 132 of the regulation is replaced by the following:

“In the case of a decision of non-renewal or termination of employment, the notice shall reach the senior administrator 90 days prior to the date of the end of the senior administrator’s employment.”

19. The regulation is amended by inserting the following after section 132:

“**132.1** Any draft severance agreement of a senior administrator that includes a notice of termination or non-renewal of employment, renunciation of his duties or of his position of senior administrator, a leave without pay, an appointment to a position of senior adviser to the office of the executive director, the payment of severance pay or any other measure shall be sent to the Minister for authorization.

The draft severance agreement authorized by the Minister and agreed upon with the senior administrator shall be the subject of a resolution of the board of directors of the employer.

Copies of that resolution and of the agreement shall be sent to the Minister and to the president and executive director of the agency.

In the event of a change to a severance agreement, the board of directors shall proceed in accordance with this section.”

20. Section 153 of the regulation is amended by replacing the first two paragraphs with the following:

“Any draft agreement to be entered into before the arbitrator delivers his decision shall be forwarded to the Minister for authorization.

The draft agreement authorized by the Minister and entered into with the senior administrator shall be the subject of a resolution of the board of directors of the employer.

Copies of that resolution and of the agreement shall be sent to the arbitrator, to the Minister and to the president and executive director of the agency within 15 days following the adoption of the resolution.

In the event of a change to such agreement, the board of directors shall proceed in accordance with this section.”

21. Sections 159.2, 159.3, 159.4 and 159.5 of the regulation are repealed.

22. Schedule 1 of the regulation is replaced by the following:

“SCHEDULE 1
(s. 28)

SALARY CLASSES FOR SENIOR ADMINISTRATORS

Classes	2003 04 01		2006 04 01		2007 04 01		2008 04 01		2009 04 01	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
2	27 954	36 344	28 513	37 071	29 083	37 812	29 665	38 568	30 258	39 339
3	29 530	38 389	30 121	39 157	30 723	39 940	31 337	40 739	31 964	41 554
4	31 108	40 438	31 730	41 247	32 365	42 072	33 012	42 913	33 672	43 771
5	32 691	42 498	33 345	43 348	34 012	44 215	34 692	45 099	35 386	46 001
6	34 269	44 552	34 954	45 443	35 653	46 352	36 366	47 279	37 093	48 225
7	36 277	47 161	37 003	48 104	37 743	49 066	38 498	50 047	39 268	51 048
8	38 403	49 923	39 171	50 921	39 954	51 939	40 753	52 978	41 568	54 038
9	40 653	52 846	41 466	53 903	42 295	54 981	43 141	56 081	44 004	57 203
10	43 033	55 941	43 894	57 060	44 772	58 201	45 667	59 365	46 580	60 552
11	45 553	59 217	46 464	60 401	47 393	61 609	48 341	62 841	49 308	64 098
12	48 221	62 684	49 185	63 938	50 169	65 217	51 172	66 521	52 195	67 851
13	51 043	66 355	52 064	67 682	53 105	69 036	54 167	70 417	55 250	71 825
14	54 032	70 241	55 113	71 646	56 215	73 079	57 339	74 541	58 486	76 032
15	57 194	74 354	58 338	75 841	59 505	77 358	60 695	78 905	61 909	80 483
16	60 546	78 708	61 757	80 282	62 992	81 888	64 252	83 526	65 537	85 197
17	64 094	83 318	65 376	84 984	66 684	86 684	68 018	88 418	69 378	90 186
18	67 844	88 197	69 201	89 961	70 585	91 760	71 997	93 595	73 437	95 467
19	71 817	93 362	73 253	95 229	74 718	97 134	76 212	99 077	77 736	101 059
20	76 021	98 829	77 541	100 806	79 092	102 822	80 674	104 878	82 287	106 976
21	80 474	104 616	82 083	106 708	83 725	108 842	85 400	111 019	87 108	113 239
22	85 184	110 742	86 888	112 957	88 626	115 216	90 399	117 520	92 207	119 870
23	90 176	117 228	91 980	119 573	93 820	121 964	95 696	124 403	97 610	126 891
24	95 456	124 093	97 365	126 575	99 312	129 107	101 298	131 689	103 324	134 323
25	101 046	131 360	103 067	133 987	105 128	136 667	107 231	139 400	109 376	142 188
26	106 965	139 053	109 104	141 834	111 286	144 671	113 512	147 564	115 782	150 515
27	113 225	147 195	115 490	150 139	117 800	153 142	120 156	156 205	122 559	159 329

Classes	2003 04 01		2006 04 01		2007 04 01		2008 04 01		2009 04 01	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
28	119 856	155 815	122 253	158 931	124 698	162 110	127 192	165 352	129 736	168 659
29	126 877	164 939	129 415	168 238	132 003	171 603	134 643	175 035	137 336	178 536
30	134 305	174 599	136 991	178 091	139 731	181 653	142 526	185 286	145 377	188 992

These salary rates shall determine, for each of these salary classes, the minimum and maximum salary limits for the annual salary of a full-time senior administrator.

The conversion of the annual salary of a senior administrator into a weekly salary is obtained by dividing the annual salary by 52.18. The conversion of the annual salary of a senior administrator into a daily salary is obtained by dividing the annual salary by 260.9.”

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

Notwithstanding the first paragraph, a senior administrator covered by a severance agreement that includes a notice of termination, non-renewal or resignation of employment, an appointment to a position of senior adviser to the office of the executive director or the payment of severance pay continues to be governed by the provisions that applied prior to the coming into force of this Regulation.

7750

M.O., 2006

Order number 2006-015 of the Minister of Health and Social Services dated 27 July 2006

An Act respecting health services and social services (R.S.Q., c. S-4.2; 2005, c. 32)

Regulation respecting the designation procedure for certain members of the board of directors of a public institution

CONSIDERING that section 137 of the Act respecting health services and social services (R.S.Q., c. S-4.2), replaced by section 79 of chapter 32 of the Statutes of 2005, provides that the Minister shall determine, by regulation, the procedure to be followed for the designation of certain members of the board of directors of a public institution and shall fix the date on which such designations are to be made;

CONSIDERING that the regulation comes into force on the date of its publication in the *Gazette officielle du Québec*;

CONSIDERING that, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as required under section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under section 13 of that Act, the reason justifying the absence of publication of the proposed regulation shall be published with the regulation;

CONSIDERING that the urgency of the situation is due to the fact that, in accordance with sections 135 and 137 of the Act respecting health services and social services, 23 October 2006 has been determined as the date when the elections by the population of certain members of the board of directors of the public institutions are to take place and 17 October 2006 has been determined as the date when the designations of other members of the boards of directors of those institutions are to be made;

CONSIDERING that the urgency of the situation is also due to the fact that the implementation of the Regulation respecting the designation procedure for certain members of the board of directors of a public institution requires the application of various preliminary measures within certain time limits extending over a period of close to 60 days before the designations to be made on 17 October 2006;

CONSIDERING that the Minister is of the opinion that these reasons justify that the Regulation be made without a 45-day prior publication period;

THEREFORE, the Minister of Health and Social Services

ORDERS :

THAT the Regulation respecting the designation procedure for certain members of the board of directors of a public institution, attached to this Order, be made.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting the designation procedure for certain members of the board of directors of a public institution

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 137; 2005, c. 32, s. 79)

SECTION I GENERAL

§1. *Scope*

1. This regulation applies to the designation of members of the board of directors of public institutions pursuant to section 137 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

§2. *Date of designations*

2. The designations under this regulation shall be made on the date established by the minister in accordance with section 137 of the Act, which must be within 30 days prior to the date established for the public election under section 135 of the Act.

The designated persons shall take office on the thirtieth day after the completion of the cooptation provided for in section 138 of the Act.

§3. *Designation officer*

3. The chair and executive director of the health and social services agency in question or the person he or she designates for this purpose shall appoint an officer in charge of the designation process no later than 45 days before the day on which the designations are to be made. If the appointed officer is unable to act, the chair and executive director of the agency in question or the person designated shall appoint a new officer.

Unless otherwise indicated, the word “officer” used herein refers to the officer in charge of the designation process, selected as stipulated in this section.

The officer may not run as a candidate or countersign for a candidate, and is not entitled to vote in any designation process pursuant to this regulation.

4. The officer is responsible for carrying out the designation process and ensuring compliance with the rules set out herein. His or her duties notably include the following, depending on the circumstances :

1° Obtain the list of bodies or persons to be involved in the designation process from the executive director of the institution

2° Give notice of the designation process

3° Receive and accept or refuse nominations

4° Inform voters of the voting procedure if there are more candidates than positions to fill

5° Appoint all scrutineers necessary for assistance in the performance of his or her duties

6° Supervise the conduct of the designation process

7° Count the votes

8° Declare candidates designated in accordance with this regulation

9° Report the results of the designation process to the agency and executive director of the institution

§4. *Executive director*

5. The executive director of an institution shall provide the officer with the technical and administrative support required for the performance of his or her duties.

He or she shall keep the original documents received from the officer and completed in accordance with Schedules I to VI in sealed envelopes for a period of at least 180 days from the date on which the designations are made.

SECTION II DESIGNATIONS BY USER COMMITTEES

§1. *Initiation of the designation process*

6. No later than 40 days before the day on which the designations are to be made, the executive director must forward the officer contact information for the user committee of each institution affected by the designation.

7. No later than 35 days before the date of the designations, the officer shall forward a notice to all users committees affected to invite members to take part in the designation of 2 people as members of the board of directors.

This notice must mention the restrictions set out in section 150 and the third subsection of section 151 of the Act and indicate the provisions that must be followed in the designation process.

§2. Designation by a single users committee

8. The user committee resolution designating 2 people to the board of directors must be adopted at a meeting at which the majority of committee members are present.

The officer must receive a copy of this resolution no later than 5 p.m. on the day before the designations are to be made, accompanied by original nomination papers provided for in Schedule I, duly completed and signed by each candidate.

After ensuring that each candidate's nomination paper has been duly completed and signed, the officer shall draw up the designation certificate provided for in Schedule II and forward copies of this certificate, all nomination papers, and the user committee resolution to the agency within 3 days. Within the same period, he or she shall send the original documents to the executive director of the institution.

The executive director shall post a copy of the designation certificate in a location accessible to the members of the user committee in each of the institution's facilities.

9. If there is no candidate or valid candidate, the designation officer shall complete the declaration of designation not made provided in Schedule III and send a copy to the agency within 3 days. Within the same period, he or she shall send the executive director of the institution the original of the certificate in question, as well as any original invalid nomination papers and a copy of the user committee resolution.

§3. Designation by multiple user committees

10. If the designation process involves more than one user committee, each committee can adopt a resolution at a meeting at which the majority of its members are in attendance to nominate 2 persons as members of the board of directors.

The second subsection of section 8 applies to each user committee.

11. On the date of the designations, after ensuring that each candidate's nomination paper has been duly completed and signed, the officer shall draw up the list of candidates.

12. If there is no candidate or valid candidate, the provisions of section 9 apply.

If the number of candidates is less than or equal to 2, the officer shall declare the candidates designated.

If there are more than 2 candidates, the officer shall declare the 2 candidates who received the greatest number of nominations designated.

If candidates have received the same number of nominations and this would result in more than 2 candidates' being designated, the officer shall immediately draw lots from among the candidates who obtained the same number of nominations.

The provisions of the third and fourth paragraphs of section 8 then apply, with the necessary adjustments.

SECTION III
DESIGNATION BY THE PHYSICIANS OF
THE REGIONAL DEPARTMENT OF GENERAL
MEDICINE

§1. Initiation of the designation process

13. This section applies only to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 3° of section 129 of the Act.

14. No later than 40 days before the designations, the executive director of any institution referred to in section 13, using the contact information provided by the agency, shall forward a list of the physicians of the regional department of general medicine to the officer. The list must include an address where each physician can be reached.

15. No later than 35 days before the date of the designations, the officer shall send written notice of the designation process to all physicians on the list and post the notice in a location accessible to these physicians in each of the institution's facilities. The posted notice must be accompanied by a list of names of all physicians involved in the designation process.

Any physician whose name does not appear on the posted list or who notices an error on the list may contact the officer for the appropriate correction.

The notice must mention the restrictions set out in section 150 of the Act, the provisions that apply under subsection 3 of section 129 of the Act, the nomination period, and the terms that must be followed in the designation process.

§2. *Nominations*

16. Nominations are made by means of nomination papers drawn up in accordance with Schedule IV.

The original, duly completed nomination paper must be signed by the candidate, countersigned by 2 members of the designation college, and received by the officer no later than 25 days before the date of the designations.

To provide more information to the voters, candidates may also complete the information sheet provided for in Schedule V and forward it along with their nomination papers.

17. The officer shall accept or refuse the nomination paper no later than 2 days after receiving it and shall give written notice of acceptance or refusal to the person who filed the paper. The officer shall complete the corresponding section of the nomination paper.

The officer shall not divulge the name of any candidate to anyone whomsoever before the end of the nomination period.

18. If there is no candidate or valid candidate by the end of the nomination period, the officer shall complete the declaration of designation not made provided for in Schedule III and send a copy to the agency within 3 days. Within the same period, he or she shall send the executive director of the institution the original of the declaration in question, as well as any original invalid nomination papers and information sheets.

§3. *Designation by acclamation*

19. If the officer has received only one valid nomination by the end of the nomination period, he or she shall declare the candidate designated. The officer shall then complete the certificate of designation in accordance with Schedule II and send a copy thereof together with the nomination paper to the agency within 3 days. Within the same period, he or she shall send the original documents to the executive director of the institution.

No later than 10 days before the date of the designations, the executive director shall post a notice indicating the name of the person designated and the fact that there will not be an election, in an area accessible to the members of the designation college in all of the institution's facilities.

§4. *Candidate list and election notice*

20. If there is more than one valid nomination at the end of the nomination period, the officer shall draw up the list of candidates and send written notice to all physicians in the designation college no later than 20 days before the designations. The notice must indicate the date, time, and location of the vote count, and must also include the candidate list.

The officer shall also post the polling notice in all locations where the designation process notice was posted in accordance with section 15.

§5. *Voting procedure*

21. The polling notice that the officer forwards to all physicians in the designation college must be accompanied by the following documents:

1° The information sheet provided for in Schedule V and filled out by a candidate, as the case may be

2° A ballot paper initialed by the officer

3° A vote envelope with no markings identifying the physician, in which the ballot paper will be inserted

4° A return envelope bearing the physician's name and addressed to the officer

22. Voters must use the ballot papers and envelopes received from the officer.

Voters shall insert their ballot papers in the vote envelopes provided, which they shall then insert in their return envelopes.

Ballot papers must be received at the office of the designation officer no later than 5 p.m. on the day before the designations are to be made.

§6. *Counting of votes, designation proclamation, and publication of results*

23. Accompanied by scrutineers, the officer shall count the votes at the time indicated on the polling notice.

Only return envelopes bearing voters' names shall be considered and checked against the voters list.

24. First, the vote envelopes containing the ballot papers are removed from the envelopes bearing voters' names.

If a return envelope does not contain a vote envelope, the situation is noted on the vote count report provided for in section 26.

If a return envelope contains 2 or more vote envelopes, the votes are not counted and the situation is noted on the vote count report provided for in section 26.

25. Once all return envelopes have been opened, the scrutineers shall then count the votes in the presence of the officer.

The vote count shall be public.

The officer shall cancel any ballot paper that

1° Has not been provided by the officer

2° Does not bear the initials of the officer

3° Has not been marked

4° Has been marked in favor of more candidates than the required number

5° Has been marked in favor of a person who is not a candidate

6° Has been marked elsewhere than in the spaces provided for that purpose

7° Bears fanciful or injurious entries

8° Bears a mark by which the voter can be identified

The officer shall cancel a ballot paper by writing "Void" on it and initialing the paper. The number of rejected ballot papers shall be noted on the vote count report provided for in section 26.

26. The officer shall declare the candidate who obtains the greatest number of votes designated.

In the event of a tie vote, the officer shall immediately draw lots from among the candidates to designate a candidate.

The officer shall then fill out the vote count report provided for in Schedule VI.

27. The officer shall complete the designation certificate provided for in Schedule II and send a copy thereof together with the designated candidate's nomination papers to the agency within 3 days.

Within the same period, the officer shall send the executive director of the institution the originals of these same documents, the nomination papers of undesignated candidates, all information sheets completed by the candidates, ballot papers, and the vote count report.

The executive director shall post a copy of the designation certificate in a location accessible to the members of the designation college in each of the institution's facilities.

SECTION IV DESIGNATION BY AND FROM AMONG THE BOARD OF PHYSICIANS, DENTISTS, AND PHARMACISTS

§1. Initiation of the designation process

28. This section applies only to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 4 of section 129 or subsection 3 of section 130, 131, or 133 of the Act.

29. No later than 40 days before the designations, the executive director of any institution referred to in section 28 must forward the officer the list of members of the board of physicians, dentists, and pharmacists of the institution or institutions.

30. No later than 35 days before the date of the designations, the officer shall post a notice of the designation process in a location accessible to the members referred to in this section in each of the institution's facilities. This notice must be accompanied by the list provided for in section 29.

Any member whose name does not appear on the list or who notices an error on the list may contact the officer for the appropriate correction.

The notice must mention the restrictions set out in section 150 of the Act and indicate the nomination period and the terms that must be followed in the designation process.

§2. Nominations

31. Nominations are made by means of nomination papers drawn up in accordance with Schedule I.

The original, duly completed nomination paper must be signed by the candidate and received by the officer no later than 25 days before the date of the designations.

32. The provisions of section 18 apply if by the end of the nomination period no candidates have been nominated or no valid nominations have been received.

§3. Designation by acclamation

33. The provisions of section 19 apply, with the necessary adjustments, if the officer receives only one valid nomination by the end of the nomination period.

§4. Candidate list and designation process

34. If there is more than one valid nomination at the end of the nomination period, the officer shall draw up the list of candidates and send it to the chair of the executive committee of the board of physicians, dentists, and pharmacists of the institution or institutions no later than 20 days before the designations.

The officer shall also post this list in all locations where the designation process notice was posted in accordance with section 30.

35. The executive committee of the board of physicians, dentists, and pharmacists must hold a meeting of the members of this board no later than the day before the designations are to be made in order to choose a candidate for designation to the board of directors of the institution or institutions.

However, the executive committee of the board of physicians, dentists, and pharmacists may, with the officer's written approval, use a different means of consultation for board members to participate in the designation of a candidate as a member of the board of directors.

36. The executive director of the institution shall provide the executive committee of the board of physicians, dentists, and pharmacists with the technical and administrative support required to hold the meeting or implement the means of participation chosen under section 35.

37. The chair of the executive committee of the board of physicians, dentists, and pharmacists must forward to the officer a written summary of the conduct and final result of the procedure used pursuant to section 35, no later than date on which the designations are made.

38. The officer shall complete the designation certificate provided for in Schedule II and send a copy thereof together with the designated candidate's nomination paper to the agency within 3 days.

Within the same period, the officer shall send the executive director of the institution the originals of these same documents, the nomination papers of undesignated candidates, and the summary report from the chair of the executive committee of the board of physicians, dentists, and pharmacists.

The executive director shall post a copy of the designation certificate in a location accessible to the members of the board of physicians, dentists, and pharmacists in each of the institution's facilities.

SECTION V DESIGNATION BY AND FROM AMONG THE INSTITUTION'S BOARD OF MIDWIVES

39. This section applies only to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 4 of section 129 of the Act.

40. The provisions of section IV apply, with the necessary adjustments, to designations to the board of directors by and from among the members of the institution's board of midwives.

SECTION VI DESIGNATION BY AND FROM AMONG THE BOARD OF NURSES

41. This section applies only to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 5 of section 129 or subsection 4 of section 130, 131, or 133 of the Act.

42. The provisions of section IV apply, with the necessary adjustments, to designations to the board of directors by and from among the members of the board of nurses.

SECTION VII DESIGNATION BY AND FROM AMONG THE MULTIDISCIPLINARY BOARD AND PERSONS CONSIDERED PART OF THE BOARD

43. This section applies to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 6 of section 129 or subsection 5 of section 130, 131, or 133 of the Act, as well as the provisions of section 133.0.1 of the Act.

44. The provisions of section IV apply, with the necessary adjustments, to the designation of one to 3 persons to the board of directors, depending on the number required under the Act, from among the members of the multidisciplinary board, including nursing assistants.

The notice required under section 30 must stipulate the provisions that apply under subsection 5 of section 130 of the Act, as the case may be.

SECTION VIII
DESIGNATION BY AND FROM AMONG
PERSONNEL NOT MEMBERS OF THE
INSTITUTION'S BOARD OF PHYSICIANS,
DENTISTS, AND PHARMACISTS ; BOARD
OF MIDWIVES ; BOARD OF NURSES ; OR
MULTIDISCIPLINARY BOARD

45. This section applies to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 7 of section 129 or subsection 6 of section 130, 131, or 133 of the Act.

46. The provisions of section III apply, with the exception of section 13 and with the necessary adjustments, to designations to the board of directors by and from among the personnel of an institution referred to in this section.

The list of persons concerned by this designation, which the executive director must send to the officer, shall be drawn up from the contact information in the institution's personnel files.

SECTION IX
DESIGNATIONS BY FOUNDATION BOARDS OF
DIRECTORS

47. This section applies to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 8 of section 129 or subsection 7 of section 130, 131, or 133 of the Act.

48. No later than 40 days before the date of the designations, the executive director must send the officer the name and address of all institution foundations as defined in section 132.2 of the Act, as well as the name of the chairs of foundation boards.

49. No later than 35 days before the date of the designations, the officer shall send the board of directors of each foundation in question notice of their right to take part in the designation of one or 2 persons, depending on the number required under the Act, to the board of directors.

50. The provisions of the second paragraph of section 7 and sections 8 to 12 apply, with the necessary adjustments, to the designations referred to in this section.

SECTION X
DESIGNATIONS BY MEMBERS OF A LEGAL
ENTITY REFERRED TO IN SECTION 139
OF THE ACT

51. This section applies to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 8 of section 129 or subsection 7 of section 130, 131, or 133 of the Act.

52. No later than 40 days before the date on which the designations are to be made, the executive director of any institution referred to in section 51 shall forward to the officer the contact information of the board of governors or delegates. If such a board does not exist, the executive director shall forward the names and addresses of the members of the legal entity.

53. Any member whose name does not appear on the list provided for in section 52 or who notices an error on the list may contact the officer for the appropriate correction.

54. No later than 35 days before the date of the designations, the officer shall forward a notice to the board of governors or delegates or to the persons indicated in section 52 to invite members to take part in the designation of one or 2 people to the board of directors, depending on the number required under the Act.

This notice must indicate the number of members to be designated, the restrictions set out in section 150 and the third paragraph of section 151 of the Act, and the provisions that must be followed in the designation process.

55. The officer must receive a copy of the resolution adopted by the board of governors or delegates or the members of the legal entity making the required designation no later than 5 p.m. on the day before the designations are to be made, along with each candidate's duly completed and signed nomination paper provided for in Schedule I.

The provisions of the third and fourth paragraphs of section 8, those of section 9, and those of sections 11 and 12 if the designation process involves members of more than one legal entity then apply, with the necessary adjustments.

SECTION XI
DESIGNATIONS BY INSTITUTION-AFFILIATED
UNIVERSITIES AND BY AND FROM AMONG
MEDICAL RESIDENTS

56. This section applies only to public institutions at which the makeup of the board of directors is subject to the provisions of subsection 8 of section 133 or the second paragraph of section 130.1 of the Act.

57. No later than 40 days before the date of the designations, the executive director must send the officer the name and address of the universities affiliated with the institution, as well as the name of the chairs of their boards of directors.

58. The provisions of section III apply, with the exception of section 13 and with the necessary adjustments, to the designation of medical residents pursuant to subsection 8 of section 133 of the Act.

The list of medical residents that the executive director must send to the officer in compliance with section 14 shall be drawn up from the contact information provided by the universities in question.

59. No later than 35 days before the date of the designations, the officer shall send a notice to the chair of the board of directors of any university affiliated with an institution referred to in section 56 mentioning the university's right, alone or with another university, to designate one to 4 people to the institution's board of directors, depending on the number required under the Act.

This notice must mention the restrictions set out in section 150 and the third paragraph of section 151 of the Act, the provisions that apply under subsection 8 of section 133 or the second paragraph of subsection 133.1 of the Act, as the case may be, and the provisions that must be followed in the designation process.

60. The officer must receive a copy of the resolution adopted by the university's board of directors making the designations no later than the day before the designations are to be made. It must be accompanied by original nomination papers for each designation, as provided for in Schedule I, duly completed and signed by each candidate.

The provisions of section 9 apply, with the necessary adjustments, if by the end of the nomination period no candidates have been nominated or valid nominations received.

61. The officer shall draw up the list of candidates nominated by the universities in question.

If there is only one valid nomination, the officer shall declare the candidate designated. He or she shall then complete the designation certificate provided for in Schedule II and send a copy thereof together with the candidate's nomination paper and any resolution received pursuant to section 60 to the agency within 3 days.

Within the same period, he or she shall send the original documents to the executive director of the institution.

62. If more than one candidate has been nominated, the person nominated by the greatest number of universities shall be designated a member of the institution's board of directors.

In the event of a tie vote, the officer shall immediately draw lots from among the candidates to designate a candidate.

63. The officer shall complete the designation certificate provided for in Schedule II and send a copy thereof together with the designated candidate's nomination paper to the agency within 3 days.

Within the same period, the officer shall send the executive director of the institution the originals of these same documents, the nomination papers of undesignated candidates, and all resolutions received under section 60.

The executive director shall post a copy of the designation certificate in a location accessible to the public in each of the institution's facilities.

SECTION XII
FINAL PROVISION

64. This regulation enters into effect on the date of its publication in *Gazette officielle du Québec*.

SCHEDULE I

(s. 8)

DESIGNATION

Nomination Paper

Institution(s)	I.D. No.

Designation college _____

Section I – Nomination

Candidate's last and first name			Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D
Address			Occupation	
Municipality	Province	Postal code	Employer	
Area code Home phone	Area code Work phone Ext.			

Section II – Candidate's consent

**CONDITIONS REQUIRED TO BE A MEMBER
OF AN INSTITUTION'S BOARD OF DIRECTORS**

1. Quebec resident
2. Age of majority (18 or over)
3. Not be under wardship or guardianship
4. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
5. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years
6. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations
7. Not work for any of the institutions indicated above or at a center run by such institutions, unless the designation under this form is made by one of the following colleges : the board of physicians, dentists and pharmacists ; board of nurses ; multidisciplinary board ; board of midwives ; or nonclinical staff.

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the health and social service agency and Ministère de la Santé et des Services sociaux (MSSS) if I am designated a member of the board of directors. Information disclosed to the agency and MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section III – Acceptance by designation officer

NOMINATION ACCEPTED
NOMINATION REJECTED

Reason(s) for rejection:

Designation officer's signature

Date

PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|---|---|---|--|
| <p>1. The information on this form is gathered for the institution concerned and, if the candidate is designated, for the health and social service agency and Ministère de la Santé et des Services sociaux.</p> | <p>2. The information transmitted to the agency and MSSS is used to make up records for management and control purposes of the members of health and social service institution boards.</p> | <p>3. The following persons will have access to this information :</p> <ul style="list-style-type: none"> • Employees of the institution in question, the agency, and MSSS in the performance of their duties • Any other user meeting the requirements of the abovementioned act | <p>4. All information on the form is required.</p> |
|---|---|---|--|

SCHEDULE II

(s. 8)

DESIGNATION

Designation Certificate

Designation college: _____

Number of positions to be filled: _____

Executive director of: _____

Name of institution(s)

I, the undersigned, the officer in charge of the designation process, declare that on _____ the following candidate(s) was (were) designated to the position of member of the board of directors of the above-mentioned institution(s):

Name

1. _____

2. _____

3. _____

() The number of candidates was lower than or equal to the number of positions to be filled.

() The number of candidates was higher than the number of positions to be filled, and the designated candidate(s) received the greatest number of nominations or votes.

() Due to an equal number of nominations or a tie vote, the candidate(s) _____ was (were) designated in a draw held on _____

Signed in _____, on _____

Signature_____
Name of designation officer

SCHEDULE III

(s. 9)

DESIGNATION

Declaration of Designation Not Made

Designation college: _____

Institution(s): _____

I, the undersigned, the officer in charge of the designation process, hereby declare that no designation was made for the above institution(s), for the following reason:

No nominations were received No valid nominations were received

Signed in _____, on _____

Signature_____
Name of designation officer

SCHEDULE IV

(s. 16)

DESIGNATION
Nomination Paper

Institution(s)	I.D. No.

Designation college: _____

Section I – Nomination			Section II – Nominators	
Candidate's last and first name			1 - Nominator's last and first name*	
Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D		Address	
Address			Phone	
Municipality	Province	Postal code	Nominator's signature	
Area code Home phone	Area code Work phone Ext.		2 - Nominator's last and first name*	
Occupation			Address	
Employer			Phone	
* Nominator must be a member of the above designation college.			Nominator's signature	

Section III – Candidate's consent**CONDITIONS REQUIRED TO BE A MEMBER
OF AN INSTITUTION'S BOARD OF DIRECTORS**

1. Quebec resident
2. Age of majority (18 or over)
3. Not be under wardship or guardianship
4. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
5. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years
6. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the health and social service agency and Ministère de la Santé et des Services sociaux if I am designated a member of the board of directors. Information disclosed to the agency and MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section IV – Acceptance by designation officer

NOMINATION ACCEPTED

NOMINATION REJECTED

Reason(s) for rejection:

Designation officer's signature

Date

PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|---|---|--|--|
| <p>1. The information on this form is gathered for the institution concerned and, if the candidate is designated, for the health and social service agency and Ministère de la Santé et des Services sociaux.</p> | <p>2. The information transmitted to the agency and MSSS is used to make up records for management and control purposes of the members of health and social service institution boards.</p> | <p>3. The following persons will have access to this information:</p> <ul style="list-style-type: none"> • Employees of the institution in question, the agency, and MSSS in the performance of their duties • Any other user meeting the requirements of the abovementioned act | <p>4. All information on the form is required.</p> |
|---|---|--|--|

SCHEDULE V

(s. 16)

DESIGNATION

Candidate Information Sheet

PHOTO

Institution(s): _____

Candidate's name: _____

Municipality of residence: _____

Municipality of workplace: _____

Candidate profile (education, occupation, experience):

Reasons for candidacy:

Social, community, volunteer involvement, etc.:

Candidate's consent: I authorize the disclosure of the information herein as part of the designation process in which I am a candidate.

Date

Candidate's signature

Date

Designation officer's signature

SCHEDULE VI

(s. 24)

DESIGNATION

Vote Count Report

Designation college: _____

Institution(s): _____

In accordance with the polling notice, the vote count took place on _____, in

Envelopes with voter identified: _____

Envelopes containing no vote envelopes: _____

Envelopes containing more than one vote envelope: _____

Vote envelopes counted: _____

Uncounted vote envelopes: _____

1. Vote Count Report

Candidates	Number of votes	
1. _____	_____	
2. _____	_____	
3. _____	_____	
4. _____	_____	Valid ballots _____
5. _____	_____	Rejected ballots _____
		Total _____

2. Draw results

The following candidates received the same number of votes:

A random draw was held on _____, in _____

The following candidate's name was drawn:

Signed in _____, on _____

Signature

Name of designation officer

Name(s) of scrutineer(s)

7742

M.O., 2006**Order number 2006-016 of the Minister of Health and Social Services dated 27 July 2006**

An Act respecting health services and social services (R.S.Q., c. S-4.2; 2005, c. 32)

Regulation respecting the election by the public of certain members of the board of directors of a public institution

CONSIDERING that, under the first paragraph of section 135 of the Act respecting health services and social services (R.S.Q., c. S-4.2), amended by section 78 of chapter 32 of the Statutes of 2005, any public institution shall, every three years, on such day as the Minister determines, invite the population to elect certain members of the board of directors of the institution;

CONSIDERING that, under the third paragraph of section 135, the mechanisms whereby candidates may address the population before an election, as well as the election procedure to be followed and the standards relating to advertising, financing, the powers and duties of election officers and campaign literature, shall be determined by regulation of the Minister, made after consulting the chief electoral officer;

CONSIDERING that the regulation comes into force on the date of its publication in the *Gazette officielle du Québec*;

CONSIDERING that, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as required under section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under section 13 of that Act, the reason justifying the absence of publication of the proposed regulation shall be published with the regulation;

CONSIDERING that the urgency of the situation is due to the fact that, in accordance with sections 135 and 137 of the Act respecting health services and social services, 23 October 2006 has been determined as the date when the elections by the population of certain members of the boards of directors of the public institutions are to take place and 17 October 2006 has been determined as the date when the designations of other members of the boards of directors of those institutions are to be made;

CONSIDERING that the urgency of the situation is also due to the fact that the implementation of the Regulation respecting the election by the public of certain members

of the board of directors of a public institution requires the application of various preliminary measures within certain time limits extending over a period of close to 60 days before the elections to be held on 23 October 2006;

CONSIDERING that the Minister is of the opinion that these reasons justify that the Regulation be made without a 45-day prior publication period;

CONSIDERING that the Chief Electoral Officer has been consulted in relation to the Regulation;

THEREFORE, the Minister of Health and Social Services

ORDERS:

THAT the Regulation respecting the election by the public of certain members of the board of directors of a public institution, attached to this Order, be made.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting the election by the public of certain members of the board of directors of a public institution

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 135; 2005, c. 32, s. 78)

DIVISION I
GENERAL

§1. *Scope*

1. This Regulation applies to the election by the public of certain members of the board of directors of a public institution, pursuant to section 135 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

§2. *Polling location*

2. The executive director of the institution shall designate the polling location or locations no later than 55 days before the election date set by the minister in compliance with section 135 of the Act and shall inform the agency thereof.

However, if circumstances so warrant, the executive director of the institution may designate another location before the beginning of the polling period. The executive director must then publish a notice indicating the new location in at least one media circulated in the region in which the institution's facilities are located,

post the notice in at least one location accessible to the public in each of the institution's facilities, and inform the agency.

§3. Returning officer and deputy returning officer

3. The chair and executive director of the agency or the person he or she designates for this purpose shall appoint a returning officer no later than 50 days before the day on which the election is to be held. If the returning officer is unable to act, the chair and executive director of the agency or the person designated shall appoint a new officer.

4. Where the election for a given institution is held in more than one location, the chair and executive director of the agency or the person designated shall also appoint a deputy returning officer for each such location. The same procedure shall be followed for the election of a board of directors formed to administer several institutions pursuant to section 125 or 128 of the Act.

5. The duties of a returning officer are, notably, to

- (1) Receive nomination papers and accept or refuse them
- (2) Send the list of candidates to the executive director of the institution
- (3) Inform the voters and candidates of the election procedure
- (4) Appoint scrutineers for assistance in the performance of his or her duties
- (5) Implement the mechanisms chosen by the executive director of the institution enabling candidates to address the public
- (6) Supervise the conduct of the election
- (7) Check voter eligibility, particularly by means of the declaration in section 25
- (8) Count the votes
- (9) Cancel irregular ballot papers in accordance with section 31
- (10) Complete the vote count report referred to in section 32 and the compilation of counts referred to in section 33

(11) Complete the certificates of election by acclamation, declarations of election not held, and certificates of election referred to in sections 14, 15 and 35

(12) Send the documents referred to in sections 14, 15, and 35 to the agency and the executive director of the institution

6. The duties of a deputy returning officer, performed under the authority of the returning officer, are, notably, to

- (1) Receive nomination papers and forward them to the returning officer
- (2) Inform the voters and candidates of the election procedure
- (3) Appoint scrutineers for assistance in the performance of his or her duties
- (4) Supervise the conduct of the election
- (5) Check voter eligibility, particularly by means of the declaration in section 25
- (6) Count the votes
- (7) Cancel irregular ballot papers in accordance with section 31
- (8) Send the vote count report referred to in section 32 and the ballot papers to the returning officer

7. The returning officer and deputy returning officers may not run as candidates or countersign for a candidate and are not entitled to vote in the election.

§4. Executive director

8. The executive director of the institution shall provide the returning officer and deputy returning officers with the technical and administrative support required for the performance of their duties.

The executive director shall keep the originals completed in accordance with Schedules I to X in sealed envelopes for a period of at least 180 days from the date on which the votes are counted or recounted, as the case may be, or, where an election is contested, until such time as the Tribunal administratif du Québec has rendered its decision.

DIVISION II ELECTION PROCEDURE

§1. *Notice of election*

9. The executive director of the institution shall give notice of the election no less than 50 days before the date of the election by means of at least 2 media, including a newspaper circulated in the region in which the institution's facilities are located.

The notice of election must also be posted, within the same period, in at least one location accessible to the public in each of the institution's facilities. The notice must mention the restrictions set out in sections 150 and 151 of the Act and shall describe the nomination procedure provided for in sections 10 and 11.

No later than 5 days after giving notice of the election, the executive director shall send a copy of the notice to the returning officer and all deputy returning officers.

§2. *Nominations*

10. A nomination is made by means of a nomination paper drawn up in accordance with Schedule I.

The original nomination paper shall be signed by the candidate and countersigned by 2 members of the electoral college. It shall be submitted to the returning officer or deputy returning officer no later than 30 days before the date of the election, before 5:00 p.m.

11. A candidate who agrees may complete an information sheet drawn up in accordance with Schedule II and submit it to the returning officer or deputy returning officer.

12. Where a deputy returning officer receives a nomination paper, he or she shall promptly forward it to the returning officer, along with any information sheet.

13. The returning officer shall accept or refuse the nomination paper no later than 2 days after receiving it and shall give written notice of acceptance or refusal to the person who filed the paper. The returning officer shall complete the corresponding section of the nomination paper.

The returning officer shall not divulge the name of any candidate to anyone whomsoever before the end of the nomination period.

§3. *Election by acclamation*

14. At the close of nominations, if the number of candidates is less than or equal to the number of seats to be filled, the returning officer shall declare these candidates elected. He or she shall then complete the certificate of election by acclamation in accordance with Schedule III and send a copy of this certificate and the nomination papers to the agency within 3 days. Within the same period, the returning officer shall send the originals of these documents and any information sheets to the executive director of the institution.

No later than 20 days before the date of the election, the executive director shall publish, in at least one newspaper circulated in the region in which the institution's facilities are located, a notice indicating the names of the persons elected and stating that no election will be held.

The executive director must also post this notice within the same period in at least one location accessible to the public in each of the institution's facilities.

§4. *Election not held*

15. At the close of nominations, if there is no candidate or no valid candidate, the returning officer shall complete the declaration of election not held provided in Schedule IV and send a copy to the agency within 3 days. Within the same period, he or she shall send the original of this declaration along with the invalid nomination papers and information sheets, where applicable, to the executive director of the institution.

§5. *Polling notice and list of candidates*

16. At the close of nominations, if there are more candidates than seats to be filled, the returning officer shall draw up a list of candidates and send it to the executive director of the institution within 3 days.

No later than 20 days before the polling date, the executive director shall publish a notice indicating the polling date, time, and location, as well as the candidate list in at least two media, including at least one newspaper circulated in the region in which the institution's facilities are located. The polling period indicated in the notice shall run at least from noon to 8:00 p.m.

The polling notice shall state that there will be no advance polling and that proxy voting is prohibited.

The executive director shall also post this notice within the same period in at least one location accessible to the public in each of the institution's facilities, along with a copy of the information sheets provided for in Schedule II and filled out by candidates, as the case may be.

§6. Procedures enabling candidates to address the public

17. The executive director of the institution shall, as soon as the nomination period has ended, inform the agency which of the procedures provided for in Schedule V enabling the candidates to address the public has been chosen. He or she shall also inform the public in the polling notice published in accordance with section 16.

18. The returning officer shall, between the time the polling notice is published and polling day, implement the procedure or procedures chosen in accordance with section 17.

19. The institution shall pay the cost of implementing the procedures provided for in section 18. All other advertising or promotional expenses shall be paid exclusively by the candidates.

20. On polling day, all candidate advertising is prohibited on the premises where the poll is held, with the exception of information sheets posted as prescribed in section 16. The building in which the election is held and any neighboring location where such materials may be seen or heard by voters are considered to be the premises where the poll is held.

§7. Polling procedure

21. A candidate may observe the conduct of the poll or may, in writing, appoint a representative to do so. Such appointment must be sent to the returning officer or deputy returning officer before the polling period begins.

22. The returning officer or deputy returning officer shall initiate the polling period on the date, at the time, and in the location indicated in the notice referred to in the second paragraph of section 16.

If the polling period can not begin at the scheduled time or is interrupted due to a superior force, it shall continue for a period of at least 8 hours.

23. Proxy voting is prohibited.

24. The returning officer, deputy returning officer, or a scrutineer shall provide assistance to any person requesting it to exercise his or her right to vote.

The scrutineer shall provide a template to any elector with a visual impairment who so requests in order to enable him or her to vote without assistance. The scrutineer shall inform the elector of the order in which the candidates are listed on the ballot paper.

An elector who is hearing or speech impaired may be accompanied by a sign language interpreter in order to communicate with members of the election staff and candidates or their representatives.

25. Before voting, each elector shall complete a declaration drawn up in accordance with Schedule VI and submit it to the scrutineer.

26. The voting shall be by secret ballot.

27. The scrutineer shall give the elector a ballot paper drawn up in accordance with the model provided in Schedule VII and explain the voting procedure, after initialing the ballot paper in the space indicated.

28. The elector shall go into the polling booth and mark the ballot paper in the prescribed manner.

After folding the ballot paper, the elector shall allow the scrutineer and any candidates or candidate representative who so desire to check the number of the stub and the initials of the scrutineer on the ballot.

Once so verified, the elector shall tear off the stub and shall give it to the scrutineer, who shall destroy it. The elector shall then deposit the ballot paper in the ballot box.

§8. Counting of votes, election proclamation, and publication of results

29. After the end of the polling period, the returning officer or deputy returning officer shall count the votes in the presence of the scrutineers.

30. Any candidates or candidate representatives who so desire may be present for the counting of the votes.

31. The returning officer or deputy returning officer shall cancel every ballot paper that

(1) Has not been provided by the scrutineer

(2) Does not bear the initials of the scrutineer

(3) Has not been marked

(4) Has been marked in favor of more candidates than the required number

- (5) Has been marked in favor of a person who is not a candidate
- (6) Has been marked elsewhere than in the spaces reserved for that purpose
- (7) Bears fanciful or injurious entries
- (8) Bears a mark by which the elector can be identified

Notwithstanding the foregoing, no ballot paper under subparagraph 2 of the first paragraph may be rejected where the number of ballot papers found in the ballot box corresponds to the number of ballot papers which, according to the sum of declarations provided for in Schedule VI and completed in accordance with section 25, were placed in it.

The scrutineer shall, in full view of the returning officer or deputy returning officer and the representative of any candidate who so desires, then initial the back of every ballot paper and add a note indicating the correction.

The returning officer or deputy returning officer shall reject a ballot paper by writing "Void" on it and initialing it.

32. The vote count report provided for in Schedule VIII shall be completed for each polling location.

All deputy returning officers shall promptly inform the returning officer of the result of the counting of votes and send him or her the original count report within 2 days, along with the original electors' declarations and ballot papers.

33. The returning officer shall compile the counts in accordance with Schedule IX and, subject to section 34, declare elected the candidates who obtained the greatest number of votes on polling day based on the number of seats to fill.

Where there is a tie vote and more candidates are elected than there are seats to be filled, the returning officer shall immediately draw lots from among the candidates who obtained the same number of votes. He or she shall then complete the corresponding section of Schedule IX.

34. The returning officer shall recount the votes at the request of any candidate or representative.

Such request must be justified, made in writing, and received by the returning officer no later than 5 days after the poll is held.

The returning officer shall recount the votes within 5 days of receipt of such request.

The candidates and their representatives may be present for the recounting.

35. The returning officer shall complete the election certificate provided for in Schedule X and send a copy of this certificate and each elected candidate's nomination papers to the agency within 10 days.

Within the same period, the returning officer shall send the executive director of the institution the originals of these same documents, the nomination papers of unelected candidates, all information sheets completed by the candidates, electors' declarations, ballot papers, and documents completed in accordance with Schedules VIII and IX.

The executive director shall post a copy of the election certificate in a location accessible to the public in each of the institution's facilities.

36. This regulation enters into effect on the date of its publication in *Gazette officielle du Québec*.

SCHEDULE I

(s. 10)

PUBLIC ELECTION

Nomination Paper

Institution(s)	I.D. No.

Health and social service region: _____ RLSSSS territory: _____

Section I – Nomination			Section II – Nominators	
Candidate's last and first name			1 - Nominator's last and first name	
Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D		Address	
Address			Phone	
Municipality	Province	Postal code	Nominator's signature*	
Area code Home phone	Area code Work phone Ext.		2 - Nominator's last and first name	
Occupation			Address	
Employer			Phone	
By signing below, the nominator attests that he or she is of the age of majority, does not work for any of the above institutions or at a center operated by any of said institutions, and has his or her principal residence in the health and social service region and, as the case may be, the above local service network territory.			Nominator's signature	

Section III – Candidate's consent

**CONDITIONS REQUIRED TO BE A MEMBER
OF AN INSTITUTION'S BOARD OF DIRECTORS**

1. Not be a candidate in any election other than for the institution indicated above
2. Quebec resident
3. Age of majority (18 or over)
4. Not be under wardship or guardianship
5. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
6. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years

7. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations
8. Not be a member of the corporate body if any of the above institutions is so designated by the minister in accordance with Section 139 of the Act respecting health services and social services or considered to be so in accordance with Section 601.1 of said Act
9. Not be employed by Ministère de la Santé et des Services sociaux, an agency, or an institution and not be employed by or receive remuneration from Régie de l'assurance maladie du Québec
10. Not be employed by any other body providing health or social services and receiving funding from an agency or minister
11. Not have signed a service contract with an institution as a midwife
12. Not be employed of a community organism

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the health and social service board and Ministère de la Santé et des Services sociaux (MSSS) if I am elected a member of the board of directors. Information disclosed to the agency and MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section IV – Acceptance by returning officer

NOMINATION ACCEPTED

NOMINATION REJECTED

Reason(s) for rejection:

Returning officer's signature

Date

PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|--|---|--|--|
| <p>1. The information on this form is gathered for the institution concerned and, if the candidate is elected, for the health and social service agency and Ministère de la Santé et des Services sociaux.</p> | <p>2. The information transmitted to the agency and MSSS is used to make up records for management and control purposes of members of health and social service institution boards.</p> | <p>3. The following persons will have access to this information:</p> <ul style="list-style-type: none"> • Employees of the institution in question, the agency, and MSSS in the performance of their duties • Any other user meeting the requirements of the abovementioned act | <p>4. All information on the form is required.</p> |
|--|---|--|--|

SCHEDULE II

(s. 11)

PUBLIC ELECTION
Candidate Information Sheet

PHOTO

Institution(s): _____

Candidate's name: _____

Municipality of
residence: _____

Municipality of
workplace: _____

Candidate profile (education, occupation, experience):

Reasons for candidacy:

Social, community, volunteer involvement, etc.:

Candidate's consent: I authorize the disclosure of the information herein as part of the election in which I am a candidate.

Date

Candidate's signature

Date

Returning officer's signature

SCHEDULE III

(s. 14)

PUBLIC ELECTION

Certificate of Election by Acclamation

I, the undersigned, the returning officer, hereby declare that I have received and accepted the candidacies below for the following board of directors positions to be filled by public election:

Institution(s) _____

Name

1. _____

2. _____

3. _____

4. _____

The candidates are hereby declared elected.

Number of unfilled positions, if any: _____

Signed in _____, on _____

Signature_____
Returning officer's name

SCHEDULE IV

(s. 15)

PUBLIC ELECTION

Declaration of Election Not Held

Institution(s): _____

I, the undersigned, the returning officer, hereby declare that no election was held for the above institution(s), for the following reason:

No nominations were received ()

No valid nominations were received ()

Signed in _____, on _____

Signature

Returning officer's name

SCHEDULE V

(s. 17)

PUBLIC ELECTION

Procedures enabling candidates to address the public

Institution(s): _____

Pursuant to section 17 of the Regulation respecting the election by the public of certain members of the board of directors of a public institution, the executive director hereby selects the following procedure(s):

One or more public meetings enabling candidates to address the public

Number of public meetings: _____ ()

Publication, on one or more occasions, of information the candidates wish to provide to the public in a newspaper distributed in the territory in which the institution's facilities are located

Number of publications: _____ ()

Use of one or more means of communication—technical, electronic, or other—enabling candidates to address the public (e.g., radio, TV, Internet)

Specify means: _____ ()

Signed in _____, on _____

Signature_____
Executive director's name

SCHEDULE VI

(s. 25)

PUBLIC ELECTION

Voter Declaration

Health and social service region: _____

RLSSSS territory (if applicable): _____

Institution(s): _____

DECLARATION

I hereby declare that

- I am 18 years of age or over
- The postal code of my principal residence is _____
- My principal residence is located in the above health and social service region and local health and social service network territory, as the case may be
- I do not work for any of the above institutions or at a center operated by any of said institutions

Name

Signature

Date

SCRUTINEER: _____

SCHEDULE VII

(s. 27)

PUBLIC ELECTION

Ballot paper template

No.	
No.	
	Scrutineer's initials
Date	

Back

Candidates
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Front

Note: List candidates' names in alphabetical order.

SCHEDULE VIII

(s. 32)

ELECTION BY THE PUBLIC

Vote Count Report

Institution: _____

Polling location: _____

Polling date: _____

Polling period: _____

Candidates	Number of votes		
1. _____	_____		
2. _____	_____		
3. _____	_____		
4. _____	_____		
5. _____	_____	Valid ballot papers	_____
6. _____	_____	Rejected ballot papers	_____
		Total	_____

Signed in _____, on _____

Signature

Name of the returning officer or deputy returning officer

SCHEDULE IX

(s. 33)

PUBLIC ELECTION

Compilation of Vote Counts and Draw Results

Institution(s): _____

Polling location(s): _____

Polling date: _____

Polling period: _____

1. Compilation of vote counts

Candidates	Number of votes		
1. _____	_____		
2. _____	_____		
3. _____	_____		
4. _____	_____		
5. _____	_____	Valid ballots	_____
6. _____	_____	Rejected ballots	_____
7. _____	_____	Total	_____
8. _____	_____		
9. _____	_____		
10. _____	_____		

2. Draw results

The following candidates received the same number of votes:

A random draw was held on _____, in _____

The following candidates' names were drawn:

Signed in _____, on _____

Signature

Returning officer's name

SCHEDULE X
(s. 35)

PUBLIC ELECTION
Certificate of Election

To the chair and executive director of _____
Institution

I, the undersigned, the returning officer, declare that the following candidates were elected to the board of directors of the above institution in the election held on _____.

Name

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Signed in _____, on _____

Signature

Returning officer's name

M.O., 2006

Order number 2006-014 of the Minister of Health and Social Services dated 27 July 2006

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation respecting the election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services

CONSIDERING that, under the first paragraph of section 530.63 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the public institution referred to in Part IV.2 of that Act shall, every three years, on such day as the Minister determines, invite the population to elect five persons coming from each part of the territory served by the institution;

CONSIDERING that, under the second paragraph of section 530.63, the mechanisms whereby candidates may address the population before an election and the election procedure to be followed shall be determined by regulation of the Minister, as well as the standards relating to advertising, financing, the powers and duties of election officers and campaign literature;

CONSIDERING that, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as required under section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under sections 13 and 18 of that Act, the reason justifying respectively the absence of publication of the proposed regulation and the coming into force of the regulation on the date of its publication in the *Gazette officielle du Québec* shall be published with the regulation;

CONSIDERING that the urgency of the situation is due to the fact that, in accordance with sections 530.63 and 530.64 of the Act respecting health services and social services, 23 October 2006 has been determined as the date when the elections by the population of certain members of the board of directors of the public institution referred to in Part IV.2 of the said Act are to take

place and 17 October 2006 has been determined as the date when the designations of other members of the board of directors of that institution are to be made;

CONSIDERING that the urgency of the situation is also due to the fact that the implementation of the Regulation respecting the election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services requires the application of various preliminary measures within certain time limits extending over a period of close to 60 days before the elections to be held on 23 October 2006;

CONSIDERING that the Minister is of the opinion that these reasons justify that the Regulation be made without a 45-day prior publication period and that it come into force on the date of its publication in the *Gazette officielle du Québec*;

THEREFORE, the Minister of Health and Social services

ORDERS:

THAT the Regulation respecting the election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services, attached to this Order, be made.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting the election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 530.63)

DIVISION I
GENERAL

§1. Scope

1. This regulation applies to the election by the citizens of certain members of the board of directors of the public institution referred to in part IV.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2), pursuant to section 530.63 of this Act.

§2. Territory and polling location

2. For the purposes of paragraph 1 of section 530.62 of the Act, the territory served by the institution is divided in the following five parts or subregions:

1° Subregion 1: Matagami

2° Subregion 2: Lebel-sur-Quévillon, including Comtois, Desmaraisville, Miquelon and Lac-Quévillon and Lac-Madeleine resorts sectors.

3° Subregion 3: Chapais, including Lac-Opémiska and Lac-Caven sectors

4° Subregion 4: Chibougamau, including

a) The following Chibougamau resort sectors: Lac-Caché, Lac-aux-Dorés, Lac-Merrill, Baie-Queylus, Baie-Machin, Développement Rustique, and Lac-Cumming

b) The following resort sectors in the Municipality of James Bay: Lac-David, Lac-Buckell, Lac-Dulieux, and Baie-Demers

5° Subregion 5: Radisson, Valcanton, and Villebois

3. The chair and executive director of the institution shall designate the polling location or locations for each subregion referred to in section 2 no later than 55 days before the election date set by the minister in compliance with section 530.63 of the Act and shall inform the Minister of Health and Social Services thereof.

However, if circumstances so warrant, the chair and executive director of the institution may designate another location before the beginning of the polling period. The executive director must then publish a notice indicating the new location in at least one media circulated in the subregion in question, post the notice in at least one location accessible to the public in each of the institution's facilities in this subregion, and inform the minister.

§3. Returning officer and deputy returning officers

4. The minister shall appoint a returning officer no later than 50 days before the day on which the election is to be held. If the returning officer is unable to act, the minister shall appoint a new officer.

The returning officer shall then appoint a deputy returning officer for each polling location established in accordance with section 3.

5. The duties of a returning officer are, notably, to

1° Receive nomination papers and accept or refuse them

2° Send the list of candidates to the chair and executive director of the institution

3° Inform the voters and candidates of the election procedure

4° Appoint scrutineers for assistance in the performance of his or her duties

5° Implement the procedures chosen by the chair and executive director of the institution enabling candidates to address the public

6° Supervise the conduct of the election

7° Check voter eligibility, particularly by means of the declaration in section 25

8° Count the votes

9° Cancel irregular ballot papers in accordance with section 31

10° Complete the vote count report referred to in section 32 and the compilation of counts referred to in section 33

11° Complete the certificates of election by acclamation, declarations of election not held, and certificates of election referred to in sections 14, 15, and 35

12° Send the documents referred to in sections 14, 15, and 35 to the minister and the chair and executive director of the institution

6. The duties of a deputy returning officer, performed under the authority of the returning officer, are, notably, to

1° Receive nomination papers and forward them to the returning officer

2° Inform the voters and candidates of the election procedure

3° Appoint scrutineers for assistance in the performance of his or her duties

4° Supervise the conduct of the election

5° Check voter eligibility, particularly by means of the declaration in section 25

6° Count the votes

7° Cancel irregular ballot papers in accordance with section 31

8° Send the vote count report referred to in section 32 and the ballot papers to the returning officer

7. The returning officer and deputy returning officers may not run as candidates or countersign for a candidate and are not entitled to vote in the election.

§4. Chair and executive director

8. The chair and executive director of the institution shall provide the returning officer and deputy returning officers with the technical and administrative support required for the performance of their duties.

The executive director shall keep the originals completed in accordance with Schedules I to X in sealed envelopes for a period of at least 180 days from the date on which the votes are counted or recounted, as the case may be, or, where an election is contested, until such time as Tribunal administratif du Québec has rendered its decision.

DIVISION II ELECTION PROCEDURE

§1. Notice of election

9. The chair and executive director of the institution shall give notice of the election no later than 50 days before the date of the election by mail or regular advertising inserts in each of the subregions referred to in section 2.

The notice of election must also be posted, within the same period, in a location accessible to the public in each of the institution's facilities. The notice must mention the restrictions set out in sections 150 and 151 and paragraph 1 of section 530.62 of the Act and shall describe the nomination procedure provided for in sections 10 and 11.

No later than 5 days after giving notice of the election, the chair and executive director shall send a copy of the notice to the returning officer and all deputy returning officers.

§2. Nominations

10. In each of the subregions referred to in section 2, candidates shall be nominated by means of a nomination paper drawn up in accordance with Schedule I.

The original nomination paper shall be signed by the candidate and countersigned by 2 members of the electoral college of the subregion in question. It shall be submitted to the returning officer or deputy returning officer no later than 30 days before the date of the election, before 5:00 p.m.

11. A candidate who agrees may also complete an information sheet drawn up in accordance with Schedule II and submit it to the returning officer or deputy returning officer.

12. Where a deputy returning officer receives a nomination paper, he or she shall promptly forward it to the returning officer, along with any information sheet.

13. The returning officer shall accept or refuse the nomination paper no later than 2 days after receiving it and shall give written notice of acceptance or refusal to the person who filed the paper. The returning officer shall complete the corresponding section of the nomination paper.

The returning officer shall not divulge the name of any candidate to anyone whomsoever before the end of the nomination period.

§3. Election by acclamation

14. At the close of nominations, if only a single candidate has been nominated in a subregion, the returning officer shall declare this candidate elected for the subregion. He or she shall then complete the certificate of election by acclamation in accordance with Schedule III and send a copy of this certificate and nomination paper to the minister within 3 days. Within the same period, he or she shall send the original documents and any information sheet to the chair and executive director of the institution.

No later than 20 days before the date of the election, the chair and executive director shall issue a notice indicating the name of the person elected and the fact that there will not be an election in this subregion, by mail or usual inserts in the subregion in question.

The chair and executive director of the establishment must also post this notice within the same period in at least one location accessible to the public in each of the institution's facilities in the subregion in question.

§4. Election not held

15. At the close of nominations, if there is no candidate or no valid candidate in a subregion, the returning officer shall complete the declaration of election not held provided in Schedule IV and send a copy to the minister within 3 days. Within the same period, he or she shall send the original of this declaration along with the invalid nomination papers and information sheets, where applicable, to the chair and executive director of the institution.

§5. Polling notice and list of candidates

16. At the close of nominations, if more than one candidate has been nominated in a subregion, the returning officer shall draw up the candidate list for the subregion and forward it to the chair and executive director of the establishment within 3 days.

No later than 20 days before the date of the election, the chair and executive director shall issue a notice indicating the date, period, and location of the election, as well as the candidate list, by mail or regular advertising inserts in the subregion in question. The polling period indicated in the notice shall run at least from noon to 8:00 p.m.

The polling notice shall state that there will be no advance polling and that proxy voting is prohibited.

The chair and executive director shall post the notice within the same period in a location accessible to the public in each of the institution's facilities in the subregion concerned. This notice is accompanied by a copy of the information sheets, as the case may be.

§6. Procedures enabling candidates to address the public

17. The chair and executive director of the institution shall, as soon as the nomination period has ended, inform the minister which of the procedures provided for in Schedule V enabling the candidates to address the public in the subregion in question has been chosen. He or she shall also inform the public in the polling notice published in accordance with section 16.

18. The returning officer shall, between the time the polling notice is published and polling day, implement the procedure or procedures chosen in accordance with section 17.

19. The institution shall pay the cost of implementing the procedures provided for in section 18. All other advertising or promotional expenses shall be paid exclusively by the candidates.

20. On polling day, all candidate advertising is prohibited on the premises where the poll is held, with the exception of information sheets posted as prescribed in section 16. The building in which the election is held and any neighboring location where such materials may be seen or heard by voters are considered to be the premises where the poll is held.

§7. Polling procedure

21. A candidate may observe the conduct of the poll or may, in writing, appoint a representative to do so. Such appointment must be sent to the returning officer or deputy returning officer before the polling period begins.

22. The returning officer or deputy returning officer shall initiate the polling period on the date, at the time, and in the location indicated in the notice referred to in the second paragraph of section 16.

If the polling period can not begin at the scheduled time or is interrupted due to a superior force, it shall continue for a period of at least 8 hours.

23. Proxy voting is prohibited.

24. The returning officer, deputy returning officer, or a scrutineer shall provide assistance to any person requesting it to exercise his or her right to vote.

The scrutineer shall provide a template to any voter with a visual impairment who so requests in order to enable him or her to vote without assistance. The scrutineer shall inform the voter of the order in which the candidates are listed on the ballot paper.

A voter who is hearing or speech impaired may be accompanied by a sign language interpreter in order to communicate with members of the election staff and candidates or their representatives.

25. Before voting, each voter shall complete a declaration drawn up in accordance with Schedule VI and submit it to the scrutineer.

26. The voting shall be by secret ballot.

27. The scrutineer shall give the voter a ballot paper drawn up in accordance with the model provided in Schedule VII and explain the voting procedure after initialing the ballot paper in the space indicated.

28. The voter shall go into the polling booth and mark the ballot paper in the prescribed manner.

After folding the ballot paper, the voter shall allow the scrutineer and any candidates or candidate representatives who so desire to check the number of the stub and the initials of the scrutineer on the ballot.

Once so verified, the voter shall tear off the stub and shall give it to the scrutineer, who shall destroy it. The voter shall then deposit the ballot paper in the ballot box.

§8. Counting of votes, election proclamation, and publication of results

29. After the end of the polling period, the returning officer or deputy returning officer shall count the votes in the presence of the scrutineers.

30. Any candidates or candidate representatives who so desire may be present for the counting of the votes.

31. The returning officer or deputy returning officer shall cancel every ballot paper that

1° Has not been provided by the scrutineer

2° Does not bear the initials of the scrutineer

3° Has not been marked

4° Has been marked in favor of more candidates than the required number

5° Has been marked in favor of a person who is not a candidate

6° Has been marked elsewhere than in the spaces reserved for that purpose

7° Bears fanciful or injurious entries

8° Bears a mark by which the voter can be identified

Notwithstanding the foregoing, no ballot paper under subparagraph 2 of the first paragraph may be rejected where the number of ballot papers found in the ballot box corresponds to the number of ballot papers which,

according to the sum of declarations provided for in Schedule VI and completed in accordance with section 25, were placed in it.

The scrutineer shall, in full view of the returning officer or deputy returning officer and the representative of any candidate who so desires, then initial the back of every ballot paper and add a note indicating the correction.

The returning officer or deputy returning officer shall reject a ballot paper by writing “Void” on it and initialing it.

32. The vote count report provided for in Schedule VIII shall be completed for each polling location.

Deputy returning officers must immediately inform the returning officer of the results of the vote count and forward the original vote count report within 2 days, along with original voters’ declarations and ballot papers.

33. The returning officer shall compile the counts in accordance with Schedule IX and, subject to section 34, declare elected the candidates who obtained the greatest number of votes on polling day based in each of the subregions in question.

If there is a tie vote and more than one candidate is elected in a single subregion, the returning officer shall immediately draw lots from among the candidates who obtained the same number of votes. He or she shall then complete the corresponding section of Schedule IX.

34. The returning officer shall recount the votes at the request of any candidate or representative.

Such request must be justified, made in writing, and received by the returning officer no later than 5 days after the poll is held.

The returning officer shall recount the votes within 5 days of receipt of such request.

The candidates and their representatives may be present for the recounting.

35. The returning officer shall complete the election certificate provided for in Schedule X and send a copy of this certificate and each elected candidate’s nomination papers to the minister within 3 days.

Within the same period, the returning officer shall send the chair and executive director of the institution the originals of these same documents, the nomination papers of unelected candidates, all information sheets

completed by the candidates, voters' declarations, ballot papers, and documents completed in accordance with Schedules VIII and IX.

The chair and executive director shall post a copy of the election certificate in a location accessible to the public in each of the institution's facilities in the subregion concerned.

36. This regulation replaces the Regulation respecting the election by the population of certain members of the board of directors of the public institution contemplated in Part IV.2 of the Act respecting health services and social services established by departmental order number 2002-009 on July 31, 2002.

37. This regulation enters into effect on the date of its publication in *Gazette officielle du Québec*.

SCHEDULE I

(s. 10)

PUBLIC ELECTION
 NORD-DU-QUÉBEC INSTITUTION
 Nomination Paper

Institution : _____

Subregion number : _____ Description : _____

Section I – Nomination			Section II – Nominators
Candidate's last and first name			1 - Nominator's last and first name
Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D		Address
Address			Phone
Municipality/Locality	Province	Postal code	Nominator's signature*
Area code Home phone	Area code Work phone Ext.		2 - Nominator's first and last name
Occupation			Address
Employer			Phone
By signing below, the nominator attests that he or she is of the age of majority, does not work for the above institution or at a center operated by said institution, and has his or her residence in the above subregion.			Nominator's signature

Section III – Candidate's consent

CONDITIONS REQUIRED TO BE A MEMBER OF AN INSTITUTION'S BOARD OF DIRECTORS

1. Not be a candidate in any subregion other than the one indicated above
2. Quebec resident
3. Age of majority (18 or over)
4. Not be under wardship or guardianship
5. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
6. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years
7. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations

8. Not be employed by Ministère de la Santé et des Services sociaux, an agency, or an institution and not be employed by or receive remuneration from Régie de l'assurance maladie du Québec
9. Not be employed by any other body providing health or social services and receiving funding from an agency or minister
10. Not have signed a service contract with an institution as a midwife
11. Not be employed by a community organization

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to Ministère de la Santé et des Services sociaux if I am elected a member of the board of directors. Information disclosed to MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section IV – Acceptance by returning officer

NOMINATION ACCEPTED

NOMINATION REJECTED

Reason(s) for rejection :

Returning officer's signature

Date

PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|--|---|--|--|
| <p>1. The information on this form is gathered for the institution concerned and, if the candidate is elected, for the health and social service agency and Ministère de la Santé et des Services sociaux.</p> | <p>2. The information transmitted to the agency and MSSS is used to make up records for management and control purposes of members of health and social service institution boards.</p> | <p>3. The following persons will have access to this information: employees of the institution in question, the agency, and MSSS in the performance of their duties any other user meeting the requirements of the above-mentioned act</p> | <p>4. All information on the form is required.</p> |
|--|---|--|--|

SCHEDULE II

(s. 11)

PUBLIC ELECTION
NORD-DU-QUÉBEC INSTITUTION
Candidate Information Sheet

PHOTO

Institution: _____

Subregion number: _____

Candidate's name: _____

Municipality or city of
residence: _____Municipality or city of
work: _____

Candidate profile (training, profession, experience):

Reasons for running:

Social, community, volunteer involvement, etc.:

Candidate's consent: I hereby authorize the disclosure of the information on this sheet as part of this election.

Date_____
Candidate's signature_____
Date_____
Returning officer's signature

SCHEDULE III

(s. 14)

PUBLIC ELECTION
NORD-DU-QUÉBEC INSTITUTION
Certificate of Election by Acclamation

I, the undersigned, the returning officer, hereby declare that I have received and accepted the candidacy below for the following board of directors position to be filled by public election:

Institution: _____

Subregion number: _____

Name

The candidate has been declared elected.

Signed in _____, on _____

Signature

Returning officer's name

SCHEDULE IV

(s. 15)

ELECTION BY THE PUBLIC
NORD-DU-QUÉBEC INSTITUTION
Declaration of Election Not Held

Institution: _____

Subregion number: _____

I, the undersigned, the returning officer, declare that no election will be held for the above subregion, for the following reason:

No nominations were received ()

No valid nominations were received ()

Signed in _____, on _____

Signature_____
Returning officer's name

SCHEDULE V

(s. 17)

PUBLIC ELECTION**NORD-DU-QUÉBEC INSTITUTION**

Procedures enabling candidates to address the public

Institution: _____

Subregion number: _____

Pursuant to section 17 of Regulation respecting the election by the public of certain members of the board of directors of a public institution referred to in part IV.2 of the Act respecting health services and social services, the chair and executive director hereby selects the following procedure(s) for the above subregion:

One or more public meetings enabling candidates to address the public

Number of public meetings: _____ ()

Publication, on one or more occasions, of information the candidates wish to provide to the public in a newspaper distributed in the above subregion

Number of publications: _____ ()

Use of one or more means of communication—technical, electronic, or other—enabling candidates to address the public (e.g., radio, TV, Internet)

Specify means: _____ ()

Signed in _____, on _____

Signature_____
Chair and executive director's name

SCHEDULE VI

(s. 25)

PUBLIC ELECTION
NORD-DU-QUÉBEC INSTITUTION
Voter Declaration

Institution: _____

Subregion number: _____

DECLARATION

I hereby declare that

- I am 18 years of age or over
- The postal code of my primary residence is _____
- My primary residence is located in the above subregion
- I do not work for the above institution or at a center operated by said institution

Name_____
Signature_____
Date

SCRUTINEER: _____

SCHEDULE VII

(s. 27)

PUBLIC ELECTION
 NORD-DU-QUÉBEC INSTITUTION
 Ballot paper template

No.			
No.			Candidates
	Scrutineer's initials		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Date			<input type="checkbox"/>

Back

Front

Note : List candidates' names in alphabetical order.

SCHEDULE VIII

(s. 32)

ELECTION BY THE PUBLIC
 NORD-DU-QUÉBEC INSTITUTION
 Vote Count Report

Institution: _____

Subregion number: _____

Polling location: _____

Polling date: _____

Polling period: _____

Candidates	Number of votes
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

Valid ballot papers	_____
Rejected ballot papers	_____
Total	_____

Signed in _____, on _____

Signature_____
Name of the returning officer or deputy returning officer

SCHEDULE IX

(s. 33)

PUBLIC ELECTION

NORD-DU-QUÉBEC INSTITUTION

Compilation of vote counts and draw results

Institution: _____

Subregion number: _____

Polling location(s): _____

Polling date: _____

Polling period: _____

1. Compilation of vote counts

Candidates	Number of votes
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

Valid ballot papers	_____
Rejected ballot papers	_____
Total	_____

2. Draw results

The following candidates received the same number of votes:

A draw was held on _____, in _____

The following candidate's name was drawn :

Signed in _____, on _____

Signature

Returning officer's name

SCHEDULE X
(s. 35)

PUBLIC ELECTION
NORD-DU-QUÉBEC INSTITUTION
Certificate of Election

To the chair and executive director of _____
Institution

I, the undersigned, the returning officer, declare that the following candidates were elected to the board of directors of the above institution in the election held on _____ in each of the subregions below.

Name	Subregion (number)
------	--------------------

1. _____

2. _____

3. _____

4. _____

5. _____

Signed in _____, on _____

Signature

Returning officer's name

M.O., 2006**Order number 2006-013 of the Minister of Health and Social Services dated 27 July 2006**

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation respecting the procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services

CONSIDERING that section 530.62 of the Act respecting health services and social services (R.S.Q., c. S-4.2), amended by section 207 of chapter 32 of the Statutes of 2005, provides for the composition of the board of directors of the public institution referred to in Part IV.2 of the said Act;

CONSIDERING that, under section 530.64 of that Act, the Minister shall determine, by regulation, the procedure to be followed for the designation of the persons referred to in paragraphs 2 to 6 of section 530.62 and shall fix the date on which each such designation is to be made;

CONSIDERING that, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published in the *Gazette officielle du Québec* as required under section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

CONSIDERING that, under sections 13 and 18 of that Act, the reason justifying respectively the absence of publication of the proposed regulation and the coming into force of the regulation on the date of its publication in the *Gazette officielle du Québec* shall be published with the regulation;

CONSIDERING that the urgency of the situation is due to the fact that, in accordance with sections 530.63 and 530.64 of the Act respecting health services and social services, 23 October 2006 has been determined as the date when the elections by the population of certain members of the board of directors of the public institution referred to in Part IV.2 of the said Act are to take place and 17 October 2006 has been determined as the

date when the designations of other members of the board of directors of that institution are to be made;

CONSIDERING that the urgency of the situation is also due to the fact that the implementation of the Regulation respecting the procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services requires the application of various preliminary measures within certain time limits extending over a period of close to 60 days before the designations to be made on 17 October 2006;

CONSIDERING that the Minister is of the opinion that these reasons justify that the Regulation be made without a 45-day prior publication period and that it come into force on the date of its publication in the *Gazette officielle du Québec*;

THEREFORE, the Minister of Health and Social Services

ORDERS :

THAT the Regulation respecting the procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services, attached to this Order, be made.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting the procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act respecting health services and social services

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 530.64)

**DIVISION I
GENERAL****§1. Scope**

1. This regulation applies to the designation of certain members of the board of directors of the public institution referred to in part IV.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2), pursuant to section 530.64 of this Act.

§2. *Date of designations*

2. Designations under this regulation are made on the date established by the minister, pursuant to section 530.64 of the Act.

The designated persons take office on the thirtieth day after the completion of the cooptation provided for in section 530.65 of the Act.

§3. *Designation officer and deputy officers*

3. The minister shall appoint an officer in charge of the designation process no later than 45 days before the day on which the designations are to be made. If the designation officer is unable to act, the minister shall select a new officer.

Unless otherwise indicated, the word “officer” used herein refers to the officer in charge of the designation process, selected as stipulated in this section.

The minister may authorize the officer to appoint one or more deputy officers for assistance in the performance of his or her duties.

The officer and deputy officers may not run as candidates or countersign for a candidate and are not entitled to vote in any designation process pursuant to this regulation.

4. The officer is responsible for carrying out the designation process and ensuring compliance with the rules set out herein. His or her duties notably include the following, depending on the circumstances:

1° Obtain the list of bodies or persons to be involved in the designation process from the chair and executive director of the institution

2° Give notice of the designation process

3° Receive and accept or refuse nominations

4° Inform voters of the voting procedure if there are more candidates than positions to fill

5° Appoint all scrutineers necessary for assistance in the performance of his or her duties

6° Supervise the conduct of the designation process

7° Count the votes

8° Declare candidates designated in accordance with this regulation

9° Report the results of the designation process to the minister and chair and executive director of the institution

5. The duties of a deputy officer, performed under the authority of the officer, are, notably, to

1° Receive nomination papers and forward them to the officer

2° Inform voters of the voting procedure if there are more candidates than positions to fill

3° Appoint all scrutineers necessary for assistance in the performance of his or her duties

4° Supervise the conduct of the designation process

5° Count the votes

6° Send the vote count report referred to in section 24 and the ballot papers to the officer

§4. *Chair and executive director*

6. The chair and executive director of the institution shall provide the officer and deputy officers with the technical and administrative support required for the performance of their duties.

He or she shall keep the original documents received from the officer and completed in accordance with Schedules I to VII in sealed envelopes for a period of at least 180 days from the date on which the designations are made.

DIVISION II DESIGNATIONS BY THE INSTITUTION’S USER COMMITTEE

7. The chair and executive director must forward contact information for the institution’s user committee to the officer no later than 40 days before the day on which the designations are to be made.

8. No later than 35 days before the date of the designations, the officer shall forward a notice to the users committee to invite members to take part in the designation of 2 people as members of the institution’s board of directors.

This notice must mention the restrictions set out in section 150 and the third paragraph of section 151 of the Act and indicate the provisions that must be followed in the designation process.

9. The users committee resolution designating 2 people to the board of directors must be adopted at a meeting at which the majority of committee members are present.

The officer must receive a copy of this resolution no later than 5 p.m. on the day before the designations are to be made. It must be accompanied by original nomination papers provided for in Schedule I, duly completed and signed by each candidate.

After ensuring that each candidate's nomination paper has been duly completed and signed, the officer shall draw up the designation certificate provided for in Schedule II and forward copies of this certificate, all nomination papers, and the users committee resolution to the minister within 3 days. Within the same period, he or she shall send the original documents to the chair and executive director of the institution.

The chair and executive director shall post a copy of the designation certificate in a location accessible to the members of the users committee in each of the institution's facilities.

10. If there is no candidate or valid candidate, the designation officer shall complete the declaration of designation not held provided in Schedule III and send a copy to the minister within 3 days. Within the same period, he or she shall send the chair and executive director of the institution this original certificate, as well as any original invalid nomination papers and a copy of the users committee resolution.

SECTION III DESIGNATION BY AND FROM AMONG THE INSTITUTION'S BOARD OF PHYSICIANS, DENTISTS, AND PHARMACISTS

§1. Initiation of the designation process

11. No later than 40 days before the designations, the chair and executive director of the institution must forward the list of members of the institution's board of physicians, dentists, and pharmacists to the officer. The list must include an address where each physician, dentist, and pharmacist can be reached.

12. No later than 35 days before the date of the designations, the officer shall send written notice of the designation process to all members on the list and post the notice in a location accessible to these members in each of the institution's facilities. The posted notice must be accompanied by a list of names of all physicians, dentists, and pharmacists involved in this designation.

Any physician, dentist, or pharmacist whose name does not appear on the posted list or who notices an error on the list may contact the officer for the appropriate correction.

The notice must mention the restrictions set out in section 150 of the Act and indicate the nomination period and the terms that must be followed in the designation process.

§2. Nominations

13. Nominations are made by means of nomination papers drawn up in accordance with Schedule IV.

The original, duly completed nomination paper must be signed by the candidate, countersigned by two members of the designation college, and received by the officer or deputy officer no later than 25 days before the date of the designations.

To provide more information to the voters, candidates may also complete the information sheet provided for in Schedule V and forward it along with their nomination papers.

14. If a deputy officer receives a nomination paper, he or she shall promptly forward it to the officer, along with any information sheet.

15. The officer shall accept or refuse a nomination paper no later than 2 days after receiving it and shall give written notice of acceptance or refusal to the person who filed the paper. The officer shall complete the corresponding section of the nomination paper.

The returning officer shall not divulge the name of any candidate to anyone whomsoever before the end of the nomination period.

16. If there is no candidate or valid candidate by the end of the nomination period, the officer shall complete the declaration of designation not made provided for in Schedule III and send a copy to the minister within 3 days. Within the same period, he or she shall send the chair and executive director of the institution this original declaration, as well as any original invalid nomination papers and information papers.

§3. Designation by acclamation

17. If the officer has received only one valid nomination by the end of the nomination period, he or she shall declare this candidate designated. The officer shall then complete the certificate of election by acclamation in accordance with Schedule II and send a copy of this

certificate and nomination paper to the minister within 3 days. Within the same period, he or she shall send the original documents to the chair and executive director of the institution.

No later than 10 days before the date of the designations, the chair and executive director must post a notice indicating the name of the person designated and the fact that there will not be an election, in an area accessible to the members of the designation college in all of the institution's facilities.

§4. Candidate list and election notice

18. If there is more than one valid nomination at the end of the nomination period, the officer shall draw up the list of candidates and send written notice to all physicians, dentists, and pharmacists concerned no later than 20 days before the designations. The notice must indicate the date, time, and location of the vote count, as well as the candidate list.

The officer shall also post the polling notice in all locations where the designation process notice was posted in accordance with section 12.

§5. Voting procedure

19. The polling notice that the officer forwards to all physicians, dentists, and pharmacists in the designation college must be accompanied by the following documents:

1° The information sheet provided for in Schedule V and filled out by a candidate, as the case may be

2° A ballot paper initialed by the officer

3° A vote envelope with no markings identifying the voter, in which the ballot paper will be inserted

4° A return envelope bearing the voter's name and addressed to the officer or deputy officer

20. The voter must use the ballot paper and envelopes received from the officer.

Voters shall insert ballot papers in the vote envelopes provided, which they shall then insert in their return envelopes.

Ballot papers must be received at the office of the designation officer or deputy officer no later than 5 p.m. on the day before the designations are to be made.

§6. Counting of votes, designation proclamation, and publication of results

21. Accompanied by scrutineers, the officer or deputy officer shall count the votes at the time indicated on the polling notice.

Only return envelopes bearing voters' names shall be considered and checked against the voters list.

22. First, the vote envelopes containing the ballot paper are removed from the envelopes bearing voters' names.

If a return envelope does not contain a vote envelope, the situation is noted on the vote count report provided for in section 24.

If a return envelope contains two or more vote envelopes, the votes are not counted and the situation is noted on the vote count report.

23. Once all return envelopes have been opened, the scrutineers shall then count the votes in the presence of the officer or deputy officer.

The vote count shall be public.

The officer or the deputy officer shall cancel any ballot paper that

1° Has not been provided by the officer

2° Does not bear the initials of the officer

3° Has not been marked

4° Has been marked in favor of more candidates than the required number

5° Has been marked in favor of a person who is not a candidate

6° Has been marked elsewhere than in the spaces reserved for that purpose

7° Bears fanciful or injurious entries

8° Bears a mark by which the voter can be identified

The officer shall cancel a ballot paper by writing "Void" on it and initialing the paper. The number of rejected ballot papers shall be noted on the vote count report provided for in section 24.

24. The vote count report provided for in Schedule VI shall be completed for each polling location.

Deputy officers must immediately inform the returning officer of the results of the vote count and forward the original vote count report within 2 days, along with original ballot papers.

25. The officer or the deputy officer shall compile the counts in accordance with Schedule VII and declare the candidate who obtained the greatest number of votes designated.

If there is a tie vote, the officer shall immediately draw lots from among the candidates who obtained the greatest number of votes to designate a candidate.

26. The officer shall complete the designation certificate provided for in Schedule II and send a copy of this certificate and the designated candidate's nomination papers to the minister within 3 days.

Within the same period, the officer shall send the chair and executive director of the institution the originals of these same documents, the nomination papers of undesignated candidates, all information sheets completed by the candidates, ballot papers, and documents completed in accordance with Schedules VI and VII.

The chair and executive director shall post a copy of the designation certificate in a location accessible to the members of the designation college in each of the institution's facilities.

SECTION IV DESIGNATION BY AND FROM AMONG THE INSTITUTION'S BOARD OF NURSES

27. The provisions of section III apply, with the necessary adjustments, to designations to the board of directors by and from among the members of the institution's board of nurses.

SECTION V DESIGNATION BY AND FROM AMONG THE INSTITUTION'S MULTIDISCIPLINARY BOARD

28. The provisions of section III apply, with the necessary adjustments, to designations to the board of directors by and from among the members of the institution's multidisciplinary board.

SECTION VI DESIGNATION BY AND AMONG PERSONNEL NOT MEMBERS OF THE INSTITUTION'S BOARD OF PHYSICIANS, DENTISTS, AND PHARMACISTS; BOARD OF NURSES; OR MULTIDISCIPLINARY BOARD

29. The provisions of section III apply, with the necessary adjustments, to designations to the board of directors by and from among the personnel of an institution referred to in this section.

The list of persons concerned by this designation, which the chair and executive director must send to the officer, shall be drawn up from the contact information in the institution's personnel files.

SECTION VII DESIGNATION BY THE BOARDS OF DIRECTORS OF INSTITUTION FOUNDATIONS

30. No later than 40 days before the date of the designations, the chair and executive director must send the officer the name and address of all institution foundations as defined in section 132.2 of the Act, as well as the name of the chairs of foundation boards.

31. No later than 35 days before the date of the designations, the officer shall send the board of directors of each foundation in question notice of their right to take part in the designation of an individual as a member of the institution's board of directors.

This notice must mention the restrictions set out in section 150 and the third paragraph of section 151 of the Act and indicate the provisions that must be followed in the designation process.

32. The officer must receive nominations no later than 5 p.m. the day before the designations are to be made. To submit a nomination, the foundation's board of directors must send the officer a copy of a board resolution indicating the name of the candidate nominated, along with the original nomination paper provided for in Schedule 1, duly completed and signed by the candidate.

The provisions of the first paragraph of section 10 apply, with the necessary adjustments, if by the end of the nomination period no candidates have been nominated or valid nominations received.

33. The officer shall draw up the list of candidates nominated by the foundations in question.

If there is only one valid nomination, the officer shall declare the candidate designated. He or she shall then complete the designation certificate provided for in Schedule II and send a copy of this certificate, the candidate's nomination papers, and any resolution received pursuant to section 32 to the minister within 3 days.

Within the same period, the officer shall send the original documents to the chair and executive director of the institution.

The chair and executive director shall post a copy of the designation certificate in a location accessible to the public in each of the institution's facilities.

34. If more than one candidate has been nominated, the person nominated by the greatest number of foundations shall be designated a member of the institution's board of directors.

If there is a tie vote, the officer shall immediately draw lots from among the candidates who obtained the greatest number of nominations to designate a candidate.

35. The officer shall complete the designation certificate provided for in Schedule II and send a copy of this certificate, the designated candidate's nomination papers, and any resolution received pursuant to section 32 to the minister within 3 days.

Within the same period, the officer shall send these original documents, as well as nomination papers for nondesignated candidates and all resolutions received under section 32, to the chair and executive director of the institution.

SECTION VIII

FINAL PROVISIONS

36. This regulation replaces the Regulation respecting the designation procedure for certain members of the board of directors of the public institution contemplated in part IV.2 of the Act respecting health services and social services established by departmental order number 2002-010 on July 31, 2002.

37. This regulation enters into effect on the date of its publication in *Gazette officielle du Québec*.

SCHEDULE I

(s. 9)

DESIGNATION
NORD-DU-QUÉBEC INSTITUTION
Nomination Paper

Institution(s)	I.D. No.

Designation college _____

Section I – Nomination

Candidate's last and first name			Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D
Address			Occupation	
Municipality	Province	Postal code	Employer	
Area code Home phone	Area code Work phone Ext.			

Section II – Candidate's consent

CONDITIONS REQUIRED TO BE A MEMBER OF AN INSTITUTION'S BOARD OF DIRECTORS

1. Quebec resident
2. Age of majority (18 or over)
3. Not be under wardship or guardianship
4. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
5. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years
6. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations
7. Not work for any of the institutions indicated above or at a center run by such institutions, unless the designation under this form is made by one of the following colleges : the board of physicians, dentists and pharmacists ; board of nurses ; multidisciplinary board ; board of midwives ; or nonclinical staff.

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the health and social service agency and Ministère de la Santé et des Services sociaux (MSSS) if I am designated a member of the board of directors. Information disclosed to the agency and MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section III – Acceptance by designation officer

NOMINATION ACCEPTED NOMINATION REJECTED

Reason(s) for rejection :

 Designation officer's signature

 Date

 PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|--|--|---|---|
| 1. the information on this form is gathered for the institution concerned and, if the candidate is designated, for the health and social service agency and ministère de la Santé et des Services sociaux. | 2. the information transmitted to the agency and MSSS is used to make up records for management and control purposes of the members of health and social service institution boards. | the following persons will have access to this information: employees of the institution in question, the agency, and MSSS in the performance of their duties any other user meeting the requirements of the abovementioned act | 4. all information on the form is required. |
|--|--|---|---|

SCHEDULE II

(s. 9)

DESIGNATION

NORD-DU-QUÉBEC INSTITUTION

Designation Certificate

Designation college: _____

Number of positions to be filled: _____

Executive director of: _____
Name of institution(s)

I, the undersigned, the officer in charge of the designation process, declare that on _____ the following candidate(s) was (were) designated to the position of member of the board of directors of the above-mentioned institution(s):

Name

1. _____

2. _____

3. _____

() The number of candidates was lower than or equal to the number of positions to be filled.

() The number of candidates was higher than the number of positions to be filled, and the designated candidate(s) received the greatest number of nominations or votes.

() Due to an equal number of nominations or a tie vote, the candidate(s) _____ was (were) designated in a draw held on _____

Signed in _____, on _____

Signature_____
Name of designation officer

SCHEDULE III

(s. 10)

DESIGNATION

NORD-DU-QUÉBEC INSTITUTION

Declaration of Designation Not Made

Designation college: _____

Institution(s): _____

I, the undersigned, the officer in charge of the designation process, hereby declare that no designation was made for the above institution(s), for the following reason:

No nominations were received No valid nominations were received

Signed in _____, on _____

Signature_____
Name of designation officer

SCHEDULE IV

(s. 13)

DESIGNATION
NORD-DU-QUÉBEC INSTITUTION
Nomination Paper

Institution(s)	I.D. No.

Designation college: _____

Section I – Nomination			Section II – Nominators	
Candidate's last and first name			1 - Nominator's last and first name*	
Sex M <input type="checkbox"/> F <input type="checkbox"/>	Date of birth Y M D		Address	
Address			Phone	
Municipality	Province	Postal code	Nominator's signature	
Area code Home phone	Area code Work phone Ext.		2 - Nominator's last and first name*	
Occupation			Address	
Employer			Phone	
* Nominator must be a member of the above designation college.			Nominator's signature	

Section III – Candidate's consent

CONDITIONS REQUIRED TO BE A MEMBER OF AN INSTITUTION'S BOARD OF DIRECTORS

1. Quebec resident
2. Age of majority (18 or over)
3. Not be under wardship or guardianship
4. Not found guilty in the past five years of a crime punishable by three or more years of incarceration
5. Not have been dismissed as the member of an institution's, regional board's, or health and social service agency's board of directors in the past three years
6. Not have been declared guilty in the past three years of an infraction of the Act respecting health services and social services or the regulations

I hereby acknowledge that I have read this information and declare that I meet the above conditions for candidacy. I also authorize the disclosure of the information on this form to the health and social service agency and Ministère de la Santé et des Services sociaux if I am designated a member of the board of directors. Information disclosed to the agency and MSSS is governed by the Act respecting access to documents held by public bodies and the protection of personal information.

In witness whereof, I have signed in _____ on _____

Candidate's signature

Section IV – Acceptance by designation officer

NOMINATION ACCEPTED

NOMINATION REJECTED

Reason(s) for rejection :

Designation officer's signature

Date

PURSUANT TO SECTIONS 64 AND 65 OF THE ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

- | | | | |
|---|---|---|--|
| <p>1. The information on this form is gathered for the institution concerned and, if the candidate is designated, for the health and social service agency and ministère de la Santé et des Services sociaux.</p> | <p>2. The information transmitted to the agency and MSSS is used to make up records for management and control purposes of the members of health and social service institution boards.</p> | <p>The following persons will have access to this information :
Employees of the institution in question, the agency, and MSSS in the performance of their duties
Any other user meeting the requirements of the abovementioned act</p> | <p>4. All information on the form is required.</p> |
|---|---|---|--|

SCHEDULE V

(s. 13)

DESIGNATION

NORD-DU-QUÉBEC INSTITUTION

Candidate Information Sheet PHOTO

Institution(s): _____

Candidate's name: _____

Municipality of residence: _____

Municipality of workplace: _____

Candidate profile (education, occupation, experience):

Reasons for candidacy:

Social, community, volunteer involvement, etc.:

Candidate's consent: I authorize the disclosure of the information herein as part of the designation process in which I am a candidate.

Date_____
Candidate's signature_____
Date_____
Designation officer's signature

SCHEDULE VI

(s. 24)

DESIGNATION
 NORD-DU-QUÉBEC INSTITUTION
 Vote Count Report

Institution(s) : _____

Designation college : _____

Polling location : _____

In accordance with the polling notice, the vote count took place on _____, in

Envelopes with voter identified : _____

Envelopes containing no vote envelopes : _____

Envelopes containing more than one vote envelope : _____

Vote envelopes counted : _____

Uncounted vote envelopes : _____

Candidates	Number of votes
1. _____	_____
2. _____	_____
3. _____	_____

Valid ballots	_____
Rejected ballots	_____
Total	_____

Signed in _____, on _____

 Signature

 Name of designation officer

 Name(s) of scrutineer(s)

SCHEDULE VII

(s. 25)

DESIGNATION

NORD-DU-QUÉBEC INSTITUTION

Compilation of vote counts and draw results

Institution(s): _____

Designation college: _____

Polling date: _____

Polling period: _____

1. Vote Count Report

Envelopes with voter identified: _____

Envelopes containing no vote envelopes: _____

Envelopes containing more than one vote envelope: _____

Vote envelopes counted: _____

Uncounted vote envelopes: _____

Candidates	Number of votes
1. _____	_____
2. _____	_____
3. _____	_____

Valid ballots	_____
Rejected ballots	_____
Total	_____

2. Draw results

The following candidates received the same number of votes :

A random draw was held on _____, in _____

The following candidate's name was drawn :

Signed in _____, on _____

Signature

Name of designation officer

7740

M.O., 2006-017**Order of the Minister of Health and Social Services making the Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan dated 1 August 2006**

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 2002, c. 27)

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 60 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 2002, c. 27, s. 22, par. 3);

CONSIDERING Order 1999-014 dated 15 September 1999 of the Minister of State for Health and Social Services and Minister of Health and Social Services making the Regulation respecting the List of medications covered by the basic prescription drug insurance plan;

CONSIDERING that it is necessary to amend the List of medications attached to that Regulation;

CONSIDERING that the Conseil du médicament has been consulted on the draft regulation;

MAKES the Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan, the text of which is attached hereto.

Québec, 1 August 2006

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 60; 2002, c. 27, s. 22, par. 3)

1. The Regulation respecting the List of medications covered by the basic prescription drug insurance plan is amended, in the List of medications attached thereto, by replacing the information accompanying the following medications by the following information:

* The Regulation respecting the List of medications covered by the basic prescription drug insurance plan, made by Minister's Order 1999-014 dated 15 September 1999 (1999, *G.O.* 2, 3197) of the Minister of State for Health and Social Services and Minister of Health and Social Services, was last amended by Minister's Orders 2003-010 dated 10 September 2003 (2003, *G.O.* 2, 2915A), 2003-012 dated 28 October 2003 (2003, *G.O.* 2, 3288), 2003-013 dated 2 December 2003 (2003, *G.O.* 2, 3472), 2004-002 dated 19 January 2004 (2004, *G.O.* 2, 828), 2004-006 dated 15 April 2004 (2004, *G.O.* 2, 1376), 2004-008 dated 17 June 2004 (2004, *G.O.* 2, 2028), 2004-013 dated 21 September 2004 (2004, *G.O.* 2, 2864), 2004-015 dated 15 November 2004 (2004, *G.O.* 2, 3157), 2004-019 dated 13 December 2004 (2004, *G.O.* 2, 3613), 2005-001 dated 20 January 2005 (2005, *G.O.* 2, 491), 2005-06 dated 13 May 2005 (2005, *G.O.* 2, 1381), 2005-011 dated 28 July 2005 (2005, *G.O.* 2, 3273), 2005-015 dated 14 September 2005 (2005, *G.O.* 2, 4409), 2005-016 dated 7 October 2005 (2005, *G.O.* 2, 4512), 2006-002 dated 18 January 2006 (2006, *G.O.* 2, 919), 2006-009 dated 21 March 2006 (2006, *G.O.* 2, 1189) and 2006-011 dated 18 May 2006 (2006, *G.O.* 2, 1656) of that Minister. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2006, updated to 1 April 2006.

CODE	BRAND NAME	MANUFACTURER	SIZE	COST OF PKG. SIZE	UNIT PRICE
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24:28**CALCIUM-CHANNEL BLOCKING AGENTS****FELODIPIN** 

L.A. Tab.

				2.5 mg	
02057778	<i>Plendil</i>	AZC	30	14.50	0.4833

L.A. Tab.

				5 mg	
00851779	<i>Plendil</i>	AZC	30	19.37	0.6457

L.A. Tab.

				10 mg	
00851787	<i>Plendil</i>	AZC	30	29.06	0.9687

28:08.08**OPIATE AGONISTS****MORPHINE HYDROCHLORIDE OR SULFATE** 

L.A. Caps.

				15 mg	
02177749	<i>M-Eslon</i>	Aventis	50	16.75	0.3350

L.A. Caps.

				30 mg	
02019949	<i>M-Eslon</i>	Aventis	50	25.00	0.5000

L.A. Caps.

				60 mg	
02019957	<i>M-Eslon</i>	Aventis	50	44.40	0.8880

28:12.92**MISCELLANEOUS ANTICONVULSANTS****CARBAMAZEPINE** 

Chew. Tab.

				100 mg	LPM	
02231542	<i>pms-Carbamazepine Chewtabs</i>	Phmscience	100	7.70	➔	0.0770
02261855	<i>Sandoz Carbamazepine Chewtabs</i>	Sandoz	100	7.70	➔	0.0770

Chew. Tab.

				200 mg	LPM	
02231540	<i>pms-Carbamazepine Chewtabs</i>	Phmscience	100	15.20	➔	0.1520
02261863	<i>Sandoz Carbamazepine Chewtabs</i>	Sandoz	100	15.20	➔	0.1520

CODE	BRAND NAME	MANUFACTURER	SIZE	COST OF PKG. SIZE	UNIT PRICE
------	------------	--------------	------	-------------------	------------

TOPIRAMATE 

			25 mg		
02263351	<i>Gen-Topiramate</i>	Genpharm	100	66.15	0.6615
02248860	<i>Novo-Topiramate</i>	Novopharm	100	66.15	0.6615
02271184	<i>Phl-Topiramate</i>	Pharmel	500	330.75	0.6615
02262991	<i>pms-Topiramate</i>	Phmscience	500	330.75	0.6615
02256827	<i>Ratio-Topiramate</i>	Ratiopharm	100	66.15	0.6615
02260050	<i>Rhoxal-Topiramate</i>	Rhoxal	100	66.15	0.6615

			100 mg		
02263378	<i>Gen-Topiramate</i>	Genpharm	100	125.37	1.2537
02248861	<i>Novo-Topiramate</i>	Novopharm	60	75.22	1.2537
02271192	<i>Phl-Topiramate</i>	Pharmel	500	626.85	1.2537
02263009	<i>pms-Topiramate</i>	Phmscience	500	626.85	1.2537
02256835	<i>Ratio-Topiramate</i>	Ratiopharm	100	125.37	1.2537
02260069	<i>Rhoxal-Topiramate</i>	Rhoxal	100	125.37	1.2537

			200 mg		
02263386	<i>Gen-Topiramate</i>	Genpharm	100	198.45	1.9845
02248862	<i>Novo-Topiramate</i>	Novopharm	60	119.07	1.9845
02271206	<i>Phl-Topiramate</i>	Pharmel	100	198.45	1.9845
02263017	<i>pms-Topiramate</i>	Phmscience	100	198.45	1.9845
02256843	<i>Ratio-Topiramate</i>	Ratiopharm	100	198.45	1.9845
02267837	<i>Rhoxal-Topiramate</i>	Rhoxal	100	198.45	1.9845

92:00.02**OTHER MISCELLANEOUS****ISOTRETINOIN** 

			10 mg LPM		
00582344	<i>Accutane 10</i>	Roche	30	27.94	➔ 0.9313
02257955	<i>Clarus</i>	Prempharm	30	31.01	1.0337

			40 mg LPM		
00582352	<i>Accutane 40</i>	Roche	30	57.01	➔ 1.9003
02257963	<i>Clarus</i>	Prempharm	30	63.28	2.1093

CODE	BRAND NAME	MANUFACTURER	SIZE	COST OF PKG. SIZE	UNIT PRICE
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EXCEPTIONAL MEDICATIONS**QUINAGOLIDE HYDROCHLORIDE \square**

Tab.

02223767	Norprolac	Ferring	30	75 mcg 32.70	1.0900
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Tab.

02223775	Norprolac	Ferring	30	150 mcg 48.90	1.6300
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2. This Regulation comes into force on 30 August 2006.

7746

Notice**Amendments to the Rules of Practice of the Superior Court of the district of Quebec in civil matters (C-25, r.1.02)**

Notice is hereby given, to be published in the *Gazette officielle du Québec*, that the judges of the Superior Court appointed for the district of Quebec, at their annual meeting on June 2nd, 2006, have established the Rules of Practice in civil matters (2006) to amend the Rules of Practice of the Superior Court of the district of Quebec in civil matters, the text of which appears below, in virtue of the inherent power of the Court and of section 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Québec, 4 August 2006

ROBERT PIDGEON,
Senior Associate Chief Justice

Superior Court (District of Quebec)**Rules of practice in civil matters (2006)***

1. The Rules of Practice of the Superior Court for the district of Quebec in civil matters, (C-25, v. 1.02) are amended as follows.

2. Section 4.1 of the Rules is replaced with the following:

“**4.1** A lengthy Practice Division matter, that is, of more than three hours is referred to the roll of the Administrative Division by the Judge presiding the Practice Division.”.

3. The Rules are amended by adding the following after section 11:

“**11.1** Any request for postponement of a case already fixed for proof and hearing on the merits must be authorized by the Senior Associate Chief Justice or by the Judge responsible for all lengthy cases, if the case is a lengthy one.”.

4. Section 12 of the Rules is replaced with the following:

“**12. Hearings.** Hearings before the Senior Associate Chief Justice are held by telephone conference, from 10:00 a.m. to noon on Wednesdays, and on such day as he may determine during the judicial vacation; if a matter is urgent, one may request an hearing at any time.

If a party or his or her attorney wants to be present at the hearing, a previous notice must be sent at the office of the Senior Associate Chief Justice and to the other party.”.

5. The Rules are amended by adding after Division VII the following division:

* Adopted in virtue of the inherent power of the Court and of article 47 of the Code of Civil Procedure.

**“DIVISION VIII
COMMERCIAL DIVISION**

17.1 A commercial case is one:

(a) based on any of the following legislative provisions:

Statutes of Canada

— The Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3;

— The Companies and Creditors’ Arrangement Act, R.S.C. 1985, c. C-36;

— The Winding-Up and Restructuring Act, R.S.C., 1985, c. W-11;

— The Canada Business Corporations Act, R.S.C., 1985, c. C-44;

— The Bank Act, S.C. 1991, c. 46, R.S.C. 1985, c. B-1.01;

— The Farm Debt Mediation Act, S.C. 1997, c. 21;

— The Commercial Arbitration Act, R.S.C., 1985, c. 17 (2nd Supp.);

Statutes of Quebec

— Code of Civil Procedure, R.S.Q., c. C-25;

– Article 946.1 (homologation of an arbitration award)

– Article 949.1 (recognition and execution of an arbitration award rendered outside Quebec)

— The Companies Act, R.S.Q., c. C-38;

— The Winding-Up Act, R.S.Q., c. L-4;

— The Securities Act, R.S.Q. c. V-1;

— The Act respecting the Autorité des marchés financiers, R.S.Q., c. A-33.2;

(b) any other case declared as a commercial one by the Senior Associate Chief Justice or a judge and designated by the Senior Associate Chief Justice whether on application or on his or her initiative.

17.2 The Commercial Division has its own Registry and a distinct jurisdictional numeration (number “11”).

17.3 Any proceeding in the Commercial Division must mention the words “Commercial Division” on the front page and on the backing above “Superior Court”.

17.4 A commercial case is presented in the Civil Practice Division and preference of hearing is given to such a case on the second week, which usually corresponds to the third week of the month.

17.5 A commercial case may be tried in the Administrative Division when the estimated duration is more than three hours.

17.6 The section on Special Case Management (art. 151.11 C.P.C.) may apply to a commercial case.

17.7 For any hearing of less than three hours, a date is set by the Special Clerk of the Registrar.

17.8 For any hearing of more than three hours, a date is set by the Executive Secretary of the Senior Associate Chief Justice and such application must be accompanied by the declarations required by articles 274.1 and 274.2 C.P.C.

17.9 Any request for a postponement of a case of more than three hours must be authorised by the Senior Associate Chief Justice.”

7748

Draft Regulations

Draft Regulation

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

Sûreté du Québec

— Amounts payable by municipalities for services
— Amendments

Notice is hereby given, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, appearing below, may be made by the Government on the expiry of 25 days following this publication.

The purpose of the draft Regulation is to make adjustments to the amount of the annual contribution payable by municipalities for the police services provided by the Sûreté du Québec.

Under section 12 of the Regulations Act, the draft Regulation may be made on the expiry of a period shorter than the 45-day period set out in section 11 of that Act by reason of the urgency owing to the following circumstances:

— adjustments to the amount of the contribution payable by municipalities for the police services provided by the Sûreté du Québec are required to reflect the greater financial wealth of the municipalities that results in an increase in the amount of the contribution;

— as announced by the Minister of Finance in the 2006-2007 Budget Speech, the gradual reduction in the municipalities' overall contribution to the costs of the services provided by the Sûreté du Québec must operate in such a way that the level, before any refund, of all their contributions to the police services fund decreases from 60% to 59% as of 2006.

To date, study of the draft Regulation has shown no financial impact on enterprises, including small and medium-sized businesses.

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

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 25-day period, to Jacques P. Dupuis, Minister of Public Security, 2525, boulevard Laurier, 5^e étage, Québec (Québec) G1V 2L2.

LAURENT LESSARD,
Minister of Public Security

Regulation to amend the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec*

Police Act
(R.S.Q., c. P-13.1, s. 77)

1. The Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec is amended by adding the following after section 1:

“1.1. The amount of the contribution for all police services for a municipal fiscal year is obtained using the following calculation:

$$A \times ((B \times C) \times D) \times (E / F)$$

$$A = \begin{array}{l} 57\% \text{ in 2007} \\ 55\% \text{ in 2008} \\ 53\% \text{ in 2009 and subsequent years;} \end{array}$$

B = the average cost of a police officer of the Sûreté du Québec obtained by dividing the sum of the income indicated, as police services charged to the municipalities and the contribution of the Sûreté du Québec, in the

* The Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, made by Order in Council 497-2002 dated 24 April 2002 (2002, G.O. 2, 2293), has been amended once, by the regulation made by Order in Council 939-2002 dated 21 August 2002 (2002, G.O. 2, 4505).

income statement filed in the financial statements of the police services fund for the fiscal year of the fund that ended in the year preceding the municipal fiscal year concerned, by the number of officers of the Sûreté du Québec assigned by agreement to local or regional municipalities as at 1 January of the preceding municipal fiscal year;

C= the projected consumer price index for the current year as established by the Minister of Finance in the budget plan for the preceding year;

D= the number of police officers of the Sûreté du Québec assigned by agreement to local or regional municipalities as at 1 January of the municipal fiscal year concerned;

E= the amount of the estimated contribution of a municipality established for the current year in accordance with sections 2 to 5; and

F= the total of the amount of the estimated contributions of all the municipalities served by the Sûreté du Québec established in accordance with sections 2 to 5.”.

2. Section 2 is amended by inserting “estimated” before “contribution” wherever that word appears.

3. Section 5 is amended by replacing “contributions payable, by” in subparagraph 1 of the second paragraph by “estimated contributions for”.

4. The following is inserted after section 5:

“**5.1.** The amount of the contribution established under section 1.1 is revised during the municipal fiscal year concerned using the following formula:

$$A \times B \times (C / D)$$

A= 57% in 2007

55% in 2008

53% in 2009 and subsequent years;

B= the sum of the income indicated, as police services charged to the municipalities and the contribution of the Sûreté du Québec, in the income statement filed in the financial statements of the police services fund for the fiscal year of the fund that ended during the municipal fiscal year concerned;

C= the amount of the estimated contribution of a municipality established for the current year in accordance with sections 2 to 5; and

D= the total amount of the estimated contributions of all the municipalities served by the Sûreté du Québec established in accordance with sections 2 to 5.

The amount of the difference between the revised contribution and the contribution established under section 1.1 is added to the contribution for the following municipal fiscal year or subtracted from that contribution, as the case may be. If the municipality no longer receives police services after 1 January of that fiscal year and the amount cannot be added to or subtracted from the contribution, the amount is to be claimed from or refunded to the municipality, as the case may be. That amount in no case bears interest.”.

5. Section 10 is amended by inserting “established under section 1.1 in proportion to the period concerned” after “contribution”.

6. Section 13 is replaced by the following:

“**13.** Where, within the time limits prescribed by regulation, the municipalities of a regional county municipality paid in full the contribution established under section 1.1 for the police services of the Sûreté du Québec for a municipal fiscal year, the regional county municipality is eligible for a refund if the contribution revised pursuant to section 5.1 for those municipalities exceeds 80% of the actual costs for the services provided by the officers of the Sûreté du Québec assigned to the regional county municipality. The refund paid by the Minister is equal to the difference between the amount established as being 80% of the actual costs of the Sûreté du Québec and the contribution revised pursuant to section 5.1.

The actual costs for the officers of the Sûreté du Québec are established on the basis of the sum of the income indicated, as police services charged to the municipalities and the contribution of the Sûreté du Québec, in the income statement filed in the financial statements of the police services fund for the fiscal year of the fund that ended during the municipal fiscal year concerned.”.

7. For the 2006 municipal fiscal year, the municipalities are entitled to a refund of an amount equal to the difference between the contribution actually paid and the contribution they would have paid had the contribution been established pursuant to section 1.1 of the Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec, enacted by section 1, but where A=59%, B=\$129,179, C=2.3% and D=3,058. The amount does not bear interest.

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

7754

Draft Regulation

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Commission des lésions professionnelles — Evidence, procedure and practice — 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 Rules to amend the Rules of evidence, procedure and practice of the Commission des lésions professionnelles, the text of which appears below, may be approved by the Government on the expiry of 45 days following this publication.

The purposes of the draft Regulation are

- to adapt the current Regulation to new information technologies;
- to facilitate the processing of contested cases pertaining to the existence of an occupational disease;
- to specify the procedure governing the representation of a party;
- to modify the summoning procedure;
- to introduce a requirement to produce prior notice of the presence at the hearing of a professional to testify on the state of health of a worker or as an expert witness;
- to change the list of non-judicial days.

Further information may be obtained by contacting Claude Verge, Commission des lésions professionnelles, 900, place D'Youville, bureau 800, Québec (Québec) G1R 3P7; telephone: 418 643-7129; fax: 418 528-6063; e-mail: procedure@clp.gouv.qc.ca

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned at the Commission des lésions professionnelles, 900, place D'Youville, bureau 800, Québec (Québec) G1R 3P7; e-mail: procedure@clp.gouv.qc.ca

MICHELINE BÉLANGER,
*President of the Commission
des lésions professionnelles*

Rules to amend the Rules of evidence, procedure and practice of the Commission des lésions professionnelles*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 429.21)

1. Section 3 of the Rules of evidence, procedure and practice of the Commission des lésions professionnelles is amended

(1) by inserting the following after subparagraph 3 of the first paragraph:

“(3.1) if the applicant contests a decision not to recognize the existence of an occupational disease, the applicant must communicate to the board the names of the employers for whom the work of a nature to induce the disease was carried on;”;

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

“Unless the application instituting the proceeding is sent to the board using an information technology medium, the applicant must send a copy of the contested decision.”.

2. Section 4 is amended

(1) by replacing “of address, telephone, fax number or electronic mail address” by “in the contact information”;

(2) by replacing “notified” by “communicated”.

3. Section 5 of the English text is replaced by the following:

“**5.** Every application other than an application to institute proceedings must specify the number assigned by the board to each case to which the application refers.”.

4. Section 6 is replaced by the following:

“**6.** A party who wishes to discontinue his application must send the board a notice that clearly reflects that choice. The notice must be signed by the party or the party’s representative.

* The Rules of evidence, procedure and practice of the Commission des lésions professionnelles, approved by Order in Council 217-2000 dated 1 March 2000 (*G.O.* 2, 1298), have not been amended since.

A party may also do so orally at the hearing.”.

5. Section 8 is replaced by the following :

“**8.** A person who accepts to represent a party after the case is opened shall send the board a notice in which the person declares to be authorized to act for that purpose and identifies each contested case for which the person is authorized to act. The board shall consider that the authorization to act is valid for all the stages of the case.

If the authorization to act is revoked before a case is closed, the party or the party’s representative must send the board a notice to that effect.”.

6. The heading of Division IV is amended by replacing “EXHIBITS” by “EVIDENCE”.

7. Section 9 is replaced by the following :

“**9.** The board must communicate to the party the proceedings, evidence, notices and other information related to the progress of the case. If a party is represented, the communications must be sent to the representative.

However, even if the party is represented, the party must receive proceedings that have an impact on the continuation or closure of the record of the contestation or on the hearing, as well as the decision.”.

8. Section 10 is replaced by the following :

“**10.** A party wishing to file evidence in the record shall send it to the board as soon as possible so that the board may reproduce it and send it to the other parties before the hearing.”.

9. Section 11 is replaced by the following :

“**11.** If the board encounters technical difficulties reproducing a piece of evidence, the board may require the party who filed the evidence to reproduce it and to send it to the other parties within the time and on the conditions determined by the board.”.

10. The following is inserted after section 11 :

“**11.1.** If evidence filed in the record by a party may not be communicated to the other parties by the board, because of the nature or characteristics of the evidence, the board must inform the parties that the evidence has been filed and that it may be examined at the office of the board where it was filed.

11.2. A writing filed in the record less than 15 days before the date of the hearing must be filed in 5 copies. It must also have been communicated to the other parties.

11.3. A party at the hearing who wishes to submit a document using an information technology medium must ensure that the board has the equipment required to read it.

The party must provide the required equipment if the board does not have it.

The board may require that the party file a copy of the document on another medium to make its examination easier.”.

11. Section 14 is amended by replacing “an exhibit” by “evidence”.

12. The heading of Division V is replaced by the following :

“SUBPOENA”.

13. Section 15 is replaced by the following :

“**15.** A witness may be required to testify before the board, to file a document with it, or both.”.

14. The following is inserted after section 15 :

“**15.1.** A witness is summoned by means of a subpoena issued by the board.

The subpoena form is signed by a commissioner and completed and notified by the party at the party’s expense, and it is incumbent on the party to prove the date of notification.

It contains information useful to the party who completes it and to the witness.

15.2. The subpoena must be notified at least 10 days prior to the date of appearance.

Despite the foregoing, in cases of urgency, a commissioner may, by special order entered on the subpoena, reduce the 10-day notification period; however, the notification must be carried out at least 24 hours before the time set for the appearance.

15.3. A witness who is required to provide documents concerning the state of health of a person must take the necessary measures to protect the confidentiality of the information in the documents, where applicable.

15.4. A party who proposes to have a professional testify on the state of health of a worker or to produce an expert witness must inform the board of his decision as soon as the decision is made.

The party must then give the name and profession of the witness to the board.”.

15. Sections 16 and 17 are revoked.

16. Sections 18 and 19 are respectively renumbered as 16 and 17.

17. Section 20 is renumbered as 18 and is replaced by the following:

“**18.** The board may record testimony and arguments on audiotape, by videoconference or by any other appropriate means.

No one else may do so without the board’s authorization.

Only the board is authorized to record images of the hearing.”.

18. Section 21 is renumbered as 19.

19. Section 22 is renumbered as 20 and is amended by replacing “the exhibits” in paragraph 5 by “each piece of evidence”.

20. Sections 23 and 24 are respectively renumbered as 21 and 22.

21. Section 25 is renumbered as 23 and the third paragraph is replaced by the following:

“The witness must then state his name and address.”.

22. Sections 26 and 27 are respectively renumbered as 24 and 25.

23. The following is inserted after section 25:

“**25.1.** The cost of the services of an interpreter is borne by the party who hires the interpreter. However, the board must provide the services of an interpreter to a deaf person.”.

24. Sections 28 to 39 are respectively renumbered as 26 to 37.

25. Section 40 is renumbered as 38 and is replaced by the following:

“**38.** If the board receives a notice of return of a notice of proof and hearing, it may give notice thereof by posting it in one of its offices.”.

26. Section 41 is renumbered as 39 and is amended by replacing “filed with” in the first, second and third paragraphs by “received by”.

27. Section 42 is renumbered as 40 and is amended

(1) by replacing “computing a delay” in the first paragraph by “computing a time period” and “the start of the delay” by “the start of the period”;

(2) by striking out “, except for a delay in clear days,” in that paragraph;

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

“The following are non-judicial days:

(1) Sundays;

(2) 1 and 2 January;

(3) Good Friday;

(4) Easter Monday;

(5) 24 June;

(6) 1 July or 2 July if 1 July is a Sunday;

(7) the first Monday of September;

(8) the second Monday of October;

(9) 25 and 26 December;

(10) the day fixed by proclamation or order of the Governor General for the celebration of the birthday of the Sovereign;

(11) any other day fixed by proclamation or order of the Government as a public holiday or as a day of thanksgiving.”.

28. Section 43 is renumbered as 41 and is amended in the French text by replacing “accomplir un acte” by “faire une chose” and “cet acte peut être valablement fait” by “cette chose peut être valablement faite”.

29. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

Decisions

Decision MPTC06-00419, 3 August 2006

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

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

Please note that the Commission des transports du Québec, by its decision MPTC06-00419 of August 3, 2006 and in accordance with section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), has fixed the rates for private transportation services by taxi and their conditions of application, in force on August 3, 2006, as contained in the Compendium of tariffs of private transportation by taxi the text of which follows.

Please note that the Compendium of tariffs of private transportation by taxi established by this decision replaces Tariffs of private transportation by taxi established by decision MPTC05-00478 rendered by the Commission on October 18, 2005.

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

Compendium of tariffs of private transportation by taxi

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

DIVISION I GENERAL PROVISIONS

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

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

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

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

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

DIVISION II GENERAL TARIFFS

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

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

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$2.76	\$1.27	\$28.96
6% GST	<u>\$0.17</u>	<u>\$0.08</u>	<u>\$1.74</u>
Price including GST	\$2.93	\$1.35	\$30.70
7.5% QST	<u>\$0.22</u>	<u>\$0.10</u>	<u>\$2.30</u>
Taximeter rate	\$3.15	\$1.45	\$33.00

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

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.27	\$28.96
6% GST	<u>\$0.00</u>	<u>\$0.08</u>	<u>\$1.74</u>
Price including GST	\$0.00	\$1.35	\$30.70
7.5% QST	<u>\$0.00</u>	<u>\$0.10</u>	<u>\$2.30</u>
Odometer rate	\$0.00	\$1.45	\$33.00

DIVISION III SPECIAL TARIFFS

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

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

Basic flat rate	\$30.72
6% GST	<u>\$1.84</u>
Rate including GST	\$32.56
7.5% QST	<u>\$2.44</u>
Total flat rate	\$35.00

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

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

— westward: Avenue Atwater to the Lachine Canal; the Lachine Canal to the foot of Rue de Condé; Rue de Condé to Rue St-Patrick; Rue St-Patrick eastward to Rue Bridge; Rue Bridge to the Victoria Bridge;

— eastward: Avenue Papineau;

— southward: the Saint Lawrence River;

— northward: Avenue des Pins; Rue St-Denis, from Avenue des Pins to Rue Cherrier; Rue Cherrier, from Rue St-Denis to Rue Sherbrooke; Rue Sherbrooke, from Rue Cherrier to Avenue Papineau.

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

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

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

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

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

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

Basic flat rate	\$26.33
6% GST	<u>\$1.58</u>
Rate including GST	\$27.91
7.5% QST	<u>\$2.09</u>
Total flat rate	\$30.00

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

— northward: Autoroute de la Capitale;

— eastward: Avenue d'Estimauville and its extension to the Saint Lawrence River;

— southward: Saint Lawrence River;

— westward: Autoroute Laurentienne; Rue Saint-Anselme to Rue des Commissaires; Rue des Commissaires; Boulevard Langelier; Côte-de-Salaberry; Avenue de Salaberry and its extension to the Saint Lawrence River.

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

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

Basic flat rate	\$11.41
6% GST	<u>\$0.68</u>
Rate including GST	\$12.09
7.5% QST	<u>\$0.91</u>
Total flat rate	\$13.00

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

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

— northward: Rang Sainte-Anne; Route de l'Aéroport; Avenue Sainte-Geneviève;

— eastward: Autoroute Henri IV;

— southward: Autoroute Charest;

— westward: Avenue Jean-Gauvin; Boulevard Wilfrid-Hamel; Rue de Jouvence and Rue des Champs-Élysés and their extension between Boulevard Wilfrid-Hamel and Autoroute Charest.

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

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

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

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

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.80	\$28.96
6% GST	<u>\$0.00</u>	<u>\$0.11</u>	<u>\$1.74</u>
Rate including GST	\$0.00	\$1.91	\$30.70
7.5% QST	<u>\$0.00</u>	<u>\$0.14</u>	<u>\$2.30</u>
Odometer rate	\$0.00	\$2.05	\$33.00

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

Any lower reading is assumed to be \$5.60.

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

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

DIVISION IV FINAL PROVISIONS

17. This tariff replaces Tariffs of private transportation by taxi set by decision MPTC05-00478 rendered by the Commission on October 18, 2005, considering decision MPTC06-00419 rendered by the Commission on August 3, 2006.

7752

Decision MPTC06-00419, 3 August 2006

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

Commission des transports du Québec — General fixing of limousine rates – Service from Montréal-Pierre Elliott Trudeau International Airport

Please note that, in accordance with Section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Commission des transports du Québec, by its decision MPTC06-00419 rendered August 3, 2006, has fixed the zone and destination rates for transportation without departure reservation from Montréal Pierre Elliott Trudeau International Airport by holders of taxi owner's permits providing specialized limousine services, whose rates are \$50 to \$105 for the Metropolitan Montréal rate zones and vary depending on the municipality for other destinations in Québec.

Also please note that this decision and the appended directory of limousine rates for transportation without departure reservation from Montréal-Pierre Elliott Trudeau International Airport - Répertoire des tarifs de limousine pour le transport sans réservation au départ de l'Aéroport international Pierre-Elliott-Trudeau de Montréal, Volume 2 - covering all destinations in Québec, can be consulted on the Web site of the Commission des transports du Québec, at the following address: <http://www.ctq.gouv.qc.ca>

Finally, please note that this decision was made following a public hearing after a public notice had been published in the newspaper *Le Devoir*, *Le Journal de Montréal* et *Le Journal de Québec* inviting interested persons to participate.

M^e LISE LAMBERT,
*Chair of the Commission
des transports du Québec*

7751

Notices

Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Piedmont-du-Mont-Saint-Hilaire Nature Reserve — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends over 7.9 hectares, situated on the territory of the Municipality of Mont-Saint-Hilaire, Regional County Municipality of La Vallée-du-Richelieu, known and designated as lots 1 816 710 and 2 348 683 of the Québec Land Register, Rouville registry division.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
*Acting Director of Ecological
Heritage and Parks*

7753

Index

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

	Page	Comments
Amounts payable by municipalities for the services provided by the Sûreté du Québec (Police Act, R.S.Q., c. P-13.1)	2917	Draft
Certain terms of employment applicable to officers of agencies and health and social services institutions (An Act respecting health services and social services, R.S.Q., c. S-4.2)	2836	M
Certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (An Act respecting health services and social services, R.S.Q., c. S-4.2)	2841	M
Code of Civil Procedure — Superior Court of the district of Québec (R.S.Q., c. C-25)	2914	M
Commission des lésions professionnelles — Evidence, procedure and practice (An Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001)	2919	Draft
Commission des transports du Québec — General fixation of rates for private transportation by taxi (An Act respecting transportation services by taxi, R.S.Q., c. S-6.01)	2923	Decision
Commission des transports du Québec — General fixing of limousine rates — Service from Montréal-Pierre Elliott Trudeau International Airport (An Act respecting transportation services by taxi, R.S.Q., c. S-6.01)	2925	Decision
Criminal and penal prosecutions — Criteria for the selection of the director ... (An Act respecting the director of criminal and penal prosecutions, 2005, c. 34)	2835	N
Designation procedure for certain members of the board of directors of a public institution (An Act respecting health services and social services, R.S.Q., c. S-4.2; 2005, c. 32)	2845	N
Director of criminal and penal prosecutions, An Act respecting the... — Criminal and penal prosecutions — Criteria for the selection of the director (2005, c. 34)	2835	N
Election by the public of certain members of the board of directors of a public institution (An Act respecting health services and social services, R.S.Q., c. S-4.2; 2005, c. 32)	2862	N
Election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 of the Act (An Act respecting health services and social services, R.S.Q., c. S-4.2)	2878	N
Health services and social services, An Act respecting... — Certain terms of employment applicable to officers of agencies and health and social services institutions (R.S.Q., c. S-4.2)	2836	M

Health services and social services, An Act respecting... — Certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (R.S.Q., c. S-4.2)	2841	M
Health services and social services, An Act respecting... — Designation procedure for certain members of the board of directors of a public institution (R.S.Q., c. S-4.2; 2005, c. 32)	2845	N
Health services and social services, An Act respecting... — Election by the public of certain members of the board of directors of a public institution (R.S.Q., c. S-4.2; 2005, c. 32)	2862	N
Health services and social services, An Act respecting... — Election by the public of certain members of the board of directors of the public institution referred to in Part IV.2 (R.S.Q., c. S-4.2)	2878	N
Health services and social services, An Act respecting... — Procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 (R.S.Q., c. S-4.2)	2895	N
Income support (An Act respecting income support, employment assistance and social solidarity, R.S.Q., c. S-32.001)	2836	M
Income support, employment assistance and social solidarity, An Act respecting... — Income support (R.S.Q., c. S-32.001)	2836	M
Industrial accidents and occupational diseases, An Act respecting... — Commission des lésions professionnelles — Evidence, procedure and practice (R.S.Q., c. A-3.001)	2919	Draft
List of medications covered by the basic prescription drug insurance plan (An Act respecting prescription drug insurance, R.S.Q., c. A-29; 2002, c. 27)	2911	M
Natural Heritage Conservation Act — Piedmont-du-Mont-Saint-Hilaire Nature Reserve — Recognition (R.S.Q., c. C-61.01)	2927	Notice
Piedmont-du-Mont-Saint-Hilaire Nature Reserve — Recognition (Natural Heritage Conservation Act, R.S.Q., c. C-61.01)	2927	Notice
Police Act — Amounts payable by municipalities for the services provided by the Sûreté du Québec (R.S.Q., c. P-13.1)	2917	Draft
Prescription drug insurance, An Act respecting... — List of medications covered by the basic prescription drug insurance plan (R.S.Q., c. A-29; 2002, c. 27)	2911	M
Procedure for designating certain members of the board of directors of the public institution referred to in Part IV.2 of the Act (An Act respecting health services and social services, R.S.Q., c. S-4.2)	2895	N
Superior Court of the district of Québec — Rules of practice (Code of Civil Procedure, R.S.Q., c. C-25)	2914	M

Transportation services by taxi, An Act respecting... — Commission des transports du Québec — General fixation of rates for private transportation by taxi (R.S.Q., c. S-6.01)	2923	Decision
Transportation services by taxi, An Act respecting... — Commission des transports du Québec — General fixing of limousine rates – Service from Montréal-Pierre Elliott Trudeau International Airport (R.S.Q., c. S-6.01)	2925	Decision

