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Coming into force of Acts

Gouvernement du Québec

O.C. 1167-2006, 18 December 2006

An Act to amend the Act respecting health services and social services and other legislative provisions (2005, c. 32)

— Coming into force of section 139, paragraph 2 of section 140, section 141 and section 220

COMING INTO FORCE of section 139, paragraph 2 of section 140, section 141 and section 220 of the Act to amend the Act respecting health services and social services and other legislative provisions

WHEREAS the Act to amend the Act respecting health services and social services and other legislative provisions (2005, c. 32) was assented to on 30 November 2005;

WHEREAS, under section 341 of the Act, it comes into force on 1 January 2006, except the provisions referred to in paragraphs 1 to 5 of that section;

WHEREAS it is expedient to set 1 February 2007 as the date of coming into force of section 139, paragraph 2 of section 140 and section 141 of the Act;

WHEREAS it is expedient to set 1 February 2009 as the date of coming into force of section 220 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT section 139, paragraph 2 of section 140 and section 141 of the Act to amend the Act respecting health services and social services and other legislative provisions (2005, c. 32) come into force on 1 February 2007;

THAT section 220 of the Act come into force on 1 February 2009.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulations and other acts

Gouvernement du Québec

O.C. 1150-2006, 18 December 2006

An Act respecting the Ministère du Conseil exécutif
(R.S.Q., c. M-30)

Signing of certain documents

Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif

WHEREAS, under the first paragraph of section 2 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30), no deed, document or writing shall bind the Department or be attributed to the Premier in his capacity as Chair of the Department unless it is signed by him, by the Deputy Minister or by a public servant, and only, as regards the latter, to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to replace the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, made by Order in Council 717-2000 dated 15 June 2000;

IT IS ORDERED, therefore, on the recommendation of the Premier:

THAT the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif

An Act respecting the Ministère du Conseil exécutif
(R.S.Q., c. M-30, ss. 2, 1st par., and 3)

DIVISION I GENERAL

1. An associate secretary general, an assistant secretary or any other member of the personnel of the Ministère du Conseil exécutif who, on a permanent or provisional

basis, by interim or temporary designation, holds a position mentioned in this Regulation is authorized to sign the deeds, documents or writings listed after the designation.

2. The Associate Secretary General to the Secretary General is authorized to sign in lieu of the Premier and with the same effect, any deed, document or writing respecting the administration of all the programs of the Ministère du Conseil exécutif.

DIVISION II SECTORIAL DEEDS, DOCUMENTS OR WRITINGS

3. Associate secretaries general are authorized to sign, in the performance of their respective duties,

- (1) promises or grants of subsidies;
- (2) supply contracts;
- (3) services contracts;
- (4) sponsorship contracts; and
- (5) construction contracts.

4. Assistant secretaries are authorized to sign, in the performance of their respective duties,

- (1) promises or grants of subsidies for \$100,000 or less;
- (2) supply contracts for \$100,000 or less; and
- (3) services contracts for \$100,000 or less.

5. Directors general, assistant directors general and directors are authorized to sign, in the performance of their respective duties,

- (1) supply contracts for \$25,000 or less; and
- (2) services contracts for \$25,000 or less.

6. The heads of post of Québec offices in Canada and administrative officers are authorized to sign, in the performance of their respective duties,

- (1) supply contracts for \$10,000 or less; and
- (2) services contracts for \$10,000 or less.

7. Members of the personnel of the Ministère du Conseil exécutif who hold a credit card issued on behalf of the Department are authorized to sign, in the performance of their respective duties within their administrative unit, documents relating to the acquisition of eligible goods or services within the meaning of the agreement concluded with the card issuer, up to the maximum amount authorized for each transaction.

8. Despite sections 4 to 7, the holder of a position listed therein is not authorized to sign construction or services contracts or occupancy agreements entered into with the Société immobilière du Québec.

DIVISION III MINISTERIAL DEEDS, DOCUMENTS OR WRITINGS

9. The Director General for Administration is authorized to sign, in the performance of his or her duties,

- (1) supply contracts for \$100,000 or less;
- (2) services contracts for \$100,000 or less;
- (3) construction contracts for \$500,000 or less;
- (4) contracts relating to capital assets and telecommunications, immovable projects and occupancy agreements entered into with the Société immobilière du Québec for \$500,000 or less; and
- (5) deeds or contracts to dispose of excess movable property made in accordance with the Règlement sur la disposition des biens meubles excédentaires (T.B. 186095 dated 6 September 1994).

10. The Director of Human, Financial and Material Resources is authorized to sign

- (1) supply contracts for \$25,000 or less;
- (2) services contracts for \$25,000 or less; and
- (3) deeds or contracts to dispose of excess movable property made in accordance with the Règlement sur la disposition des biens meubles excédentaires.

11. The Director of Data Processing and Records Management is authorized to sign

- (1) supply contracts for \$25,000 or less; and
- (2) services contracts for \$25,000 or less.

12. The heads of management services are authorized to sign

- (1) supply contracts for \$10,000 or less;
- (2) services contracts for \$10,000 or less; and
- (3) deeds or contracts to dispose of excess movable property made in accordance with the Règlement sur la disposition des biens meubles excédentaires.

DIVISION IV MISCELLANEOUS

13. The Associate Secretary General, the Assistant Secretary or the person responsible for the office of the Associate Secretary General for Canadian Intergovernmental Affairs is authorized to certify as true copies of documents held under Division II of the Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30).

14. The Associate Secretary General, the Assistant Secretary or the person responsible for the registry of agreements relating to Native affairs at the Secrétariat aux affaires autochtones is authorized to certify as true copies of documents kept under Division III.2 of that Act.

15. The Associate Secretary General to the Secretary General and the Assistant Clerk of the Conseil exécutif are authorized to sign any document certifying that an Order in Council has been made, amended or revoked and to certify as true a copy of an Order in Council. The same applies to any advisor acting with the Assistant Clerk, for as long as he or she performs duties in that capacity.

16. This Regulation replaces the the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, made by Order in Council 717-2000 dated 15 June 2000.

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

Gouvernement du Québec

O.C. 1168-2006, 18 December 2006

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

**Residence for the elderly
— Conditions for obtaining a certificate of compliance**

Approval of the Regulation respecting the conditions for obtaining a certificate of compliance for a residence for the elderly

WHEREAS, under section 346.0.6 of the Act respecting health services and social services (R.S.Q., c. S-4.2), introduced by chapter 32 of the Statutes of 2005, the Government may determine, by regulation, the health and social criteria and the requirements with which the operator of a residence for the elderly must comply to receive a certificate of compliance;

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 conditions for obtaining a certificate of compliance for a residence for the elderly was published in Part 2 of the *Gazette officielle du Québec* of 25 October 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 had expired;

WHEREAS comments were received and various amendments have been made to the draft Regulation respecting the conditions for obtaining a certificate of compliance for a residence for the elderly;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation respecting the conditions for obtaining a certificate of compliance for a residence for the elderly, attached hereto, be made as amended.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the conditions for obtaining a certificate of compliance for a residence for the elderly

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 346.0.6, 1st par., subpars. 1, 2 and 3 and 2nd par.; 2005, c. 32, s. 141)

**DIVISION I
CONDITIONS FOR OBTAINING A CERTIFICATE OF COMPLIANCE**

1. A health and social services agency for the area of jurisdiction where the residence for the elderly is situated is to issue a certificate of compliance referred to in section 346.0.3 of the Act respecting health services and social services (R.S.Q., c. S-4.2), enacted by chapter 32 of the Statutes of 2005, to the operator of a residence for the elderly if the operator meets the conditions set out in this Regulation.

§1. General

2. The resident and the resident's close relatives must be treated with courtesy, fairness and understanding, and with respect for their dignity, autonomy and needs.

3. Space must be provided in the residence for the elderly so that every resident can receive visitors in a setting that respects the resident's privacy at all times.

4. Residents' access to recreational activities and community life is to be facilitated.

§2. Exchange of information

5. A document with the following mandatory information written in clear and simple terms is to be given by the operator to a person wishing to enter the residence, a close relative of the person or, as applicable, the person's representative:

(1) the type of residence;

(2) all the services offered in the residence, the cost of the services and, where applicable, an indication that the residence offers no personal assistance service;

(3) the conditions on which persons with a disability may be admitted and the accommodation capacity for such persons;

- (4) the complaint management procedure;
- (5) the code of conduct that applies to the staff and residents;
- (6) the procedure and cost for the service that manages claims under government financial assistance programs, if that service is available; and
- (7) the operating rules for the residence.

6. When an elderly person enters the residence, the operator must open a file in which the following information is entered:

- (1) the name of a person to contact in an emergency;
- (2) any special needs the resident may have;
- (3) any health problems the resident may have, including allergies;
- (4) the name of the resident's attending physician;
- (5) the name of the resident's pharmacist; and
- (6) the name of the person in charge of the resident's file at the health and social services agency for the area of jurisdiction where the residence is situated.

If a person refuses to provide information required under the first paragraph, the operator must have the person sign a declaration attesting to that fact. The declaration is kept in the file.

7. Personal information collected pursuant to this Regulation is to be kept in such a manner as to ensure its protection in accordance with section 10 of the Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1).

§3. Health and safety of residents

8. The operator is to allow every resident to have access to health and social services and to an assessment and follow-up of the resident's state of health and psychosocial needs.

9. The operator is to see that every resident whose life or integrity is in danger receives the care and services required by the resident's condition.

10. The housekeeping of the residence, in particular the common areas accessible to residents, is to be done in such a manner as to not endanger the health and safety of the residents.

11. If the operator notices a resident is behaving in a way that may harm the resident or other residents, or loss of cognitive autonomy associated with behavioural disorders, the operator must notify the resident's close relatives as soon as possible.

The operator may not resort to force, isolation, mechanical means or a chemical substance to control a resident's behaviour. Despite the foregoing, to protect the person or other persons in an emergency situation, after ruling out all other possibilities, the operator may temporarily and exceptionally use such means, but not a chemical substance.

If the operator notices behaviour referred to in the first paragraph or in an emergency situation has to resort to a control measure referred to in the second paragraph, the operator must immediately notify the health and social services agency for the area of jurisdiction where the residence is situated so that the resident's condition may be assessed and a determination made of the measures, if any, to be taken.

12. In the event that the resident's state of health requires care or services that are beyond the operator's capacity or obligations, the operator must notify the resident and, with the resident's consent, the resident's close relatives. If the resident is incapable of giving consent, the operator must notify the resident's close relatives.

13. Every residence must have a functioning call-for-help system adapted to the clientele's specific needs and made available to each resident.

In addition, the operator must ensure that a safety device which alerts staff members is in place if residents require monitoring because they are prone to wandering.

14. At least one person of full age employed by the operator must be present at all times in the residence.

That person must have up-to-date training in

- (1) cardiopulmonary resuscitation;
- (2) standard first aid; and
- (3) moving patients safely.

The training referred to in the second paragraph must be provided by a certified person or organization.

15. Professional activities are to be performed in the residence by members in good standing of the professional order concerned.

The operator or a staff member may, however, without being a member of the professional order concerned, provide invasive care involved in assistance with activities of daily living in accordance with section 39.7 of the Professional Code (R.S.Q., c. C-26) or a regulation made under section 39.9 of that Code.

16. The operator is to apply the intervention protocols provided by the agency for its area of jurisdiction in the event of an accident or incident, death, unexplained absence of a resident or onset of an infectious disease, and to prevent infection, apply restraint measures in an emergency situation or mitigate a heat wave.

The operator must ensure that staff members are familiar with the protocols.

17. A residence for the elderly is to have first-aid kits conspicuously marked for rapid identification that must be kept clean, fully stocked and in good condition, and that are readily accessible and available at all times.

18. Devices and equipment furnished by the residence to provide health care and services to residents are to be maintained in good working order.

19. The operator is to prepare and keep up to date a fire safety plan, in cooperation with the municipality's fire service.

The fire safety plan must contain the following information:

(1) a list of the residents, specifying for each the measure or measures to be taken to ensure they are evacuated to a safe place;

(2) a list of the staff members designated to apply the evacuation measures;

(3) instructions to the person in charge;

(4) instructions to the supervisory staff members;

(5) the location of portable extinguishers and other fire protection equipment and evacuation routes to outside meeting places;

(6) a list of agreements with organizations, establishments, institutions or individuals concerning assistance in the event of evacuation of the residence or the taking of evacuees in charge; and

(7) a list of all emergency telephone numbers.

A copy of the fire safety plan must be kept near the main entrance for the person in charge of the emergency services. The evacuation instructions must be posted on every floor in the residence in a place accessible to the public. All staff members must be informed of the content of the plan and of the specific tasks they are to perform in the event of an evacuation.

§4. Food and medication

20. An operator providing meals to residents must offer varied menus that conform to Canada's Food Guide to Healthy Eating (Health Canada, Ottawa) as it reads at the time of its application.

21. The operator must encourage self-administration.

If a resident self-administers medication but chooses to use the distribution service, the operator must respect the following rules:

(1) a person in charge must be designated to supervise the distribution of medication;

(2) medication in the name of each resident must be stored under lock and key, in a cupboard reserved for that purpose or, if required, in a refrigerated area; and

(3) the person distributing medication must ensure that the person to whom the medication is distributed is the person to whom the medication is intended.

22. The operator or a staff member must, when administering medication, comply with the rules in section 21 and do so in accordance with section 39.8 of the Professional Code or a regulation made under section 39.9 of that Code.

23. An operator may make available to its residents the commonly used over-the-counter medications listed in Schedule III to the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998. The medications must be kept as provided in subparagraph 2 of the second paragraph of section 21 of this Regulation.

A list of the medications and the rules governing their use must be determined, on the operator's request, by a pharmacist. The list and rules must be reviewed at least once every two years and not more than six months before each renewal application for a certificate of compliance.

As soon as an operator distributes one of the medications to a resident, the operator must enter that fact in a book kept for that purpose.

§5. Requirements

24. The operator must ensure that

(1) retail or restaurant activities and the provision of services for remuneration in a residence do not endanger the health or safety of residents by not complying with the Food Products Act (R.S.Q., c. P-29) or a regulation made under that Act;

(2) the health or safety of residents is not endangered by accommodating them in an immovable that does not comply with the standards in a municipal by-law regarding hygiene, sanitation, safety or construction, adopted by the municipality in whose territory the residence for the elderly is situated; and

(3) the health or safety of residents is not endangered by accommodating them in an immovable that does not comply with the standards set out in the Public Buildings Safety Act (R.S.Q., c. S-3), the Building Act (R.S.Q., c. B-1.1) or a regulation made under those Acts.

§6. Liability insurance

25. The operator must hold and maintain liability insurance in an amount that enables the operator to satisfy a claim arising out of the operator's general civil and professional liability.

§7. Exemption

26. Subparagraphs 3 to 6 of the first paragraph of section 6, sections 13, 14, 18, 21 and 22 do not apply to the operator of a residence for the elderly that offers no personal assistance service.

Personal assistance services are personal hygiene, eating aid, mobility aid, transfer aid and distribution of medications.

27. This Regulation comes into force on 1 February 2007.

7928

Gouvernement du Québec

O.C. 1176-2006, 18 December 2006

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

Amount of the contribution of each member of a professional order for the 2007-2008 fiscal year of the Office des professions du Québec

WHEREAS, under section 196.2 of the Professional Code (R.S.Q., c. C-26), the expenditures incurred by the Office des professions du Québec in a fiscal year shall be payable by the members of the professional orders;

WHEREAS, under section 196.3 of the Code, each member of a professional order is required to pay, for every fiscal year of the Office, a contribution equal to the total of the expenditures incurred by the Office for a year of reference, divided by the total number of members entered on the rolls of all orders on the last day of the year of reference;

WHEREAS, under section 196.4 of the Code, the Government shall fix, for each fiscal year of the Office, the amount of the contribution of each member of an order;

WHEREAS the first paragraph of section 196.5 of the Code determines that where, for a particular fiscal year, the total amount of the contributions paid under section 196.3 is less than or is more than the amount of the expenditures incurred by the Office, the contribution of each member, established in accordance with section 196.3, shall be increased or reduced, as the case may be;

WHEREAS, under the second paragraph of that section, the increase or reduction shall be determined by establishing the difference between the expenditures incurred by the Office for that fiscal year and the total amount of contributions paid for the year of reference and dividing that difference by the total number of members entered on the roll of every order on the last day of that fiscal year. The charge payable pursuant to section 196.8 shall be deducted when the increase or reduction is determined;

WHEREAS, for the purposes of section 196.5 of the Code, the reference year to serve as the basis for the calculation of the contribution is the period from 1 April 2005 to 31 March 2006;

WHEREAS, pursuant to paragraph 4 of section 19.1 of the Professional Code, the Minister submitted the amount of the contribution of each member of an order to be fixed for the 2007-2008 fiscal year to the Interprofessional Council for advice;

WHEREAS no comments in particular were received from the Interprofessional Council;

WHEREAS it is expedient to fix the amount of the contribution payable by each member of an order;

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

THAT \$21.70 be fixed as the amount of the contribution of each member of a professional order for the 2007-2008 fiscal year of the Office des professions du Québec.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

7905

Draft Regulations

Draft Regulation

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

Application of section 32 of the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation respecting the application of section 32 of the Environment Quality Act, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to exempt certain waterworks and sewer projects that do not affect environment quality from the requirement to obtain the authorization of the Minister of Sustainable Development, Environment and Parks. A further purpose is to allow municipalities to regroup various applications for waterworks and sewer work authorizations into a waterworks and sewer master plan. That provision introduces a new manner of authorizing expansions of waterworks and sewer networks and consequently, new municipal developments. This approach is more comprehensive and consistent with the concepts of sustainable development and accountability for professionals in the field.

Further information may be obtained by contacting Didier Bicchi, Head, Service des eaux municipales, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 8^e étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4852 or fax: 418 528-0990; e-mail: didier.bicchi@mddep.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 60-day period to Didier Bicchi, at the above-mentioned address.

CLAUDE BÉCHARD,
*Minister of Sustainable
Development, Environment
and Parks*

Regulation respecting the application of section 32 of the Environment Quality Act

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st, par., subpars. e, g, k and m, s. 46, pars. a, d, l and p, and ss. 109.1 and 124.1)

DIVISION I GENERAL

1. This Regulation applies to waterworks and sewer projects where the owner is a municipality.

The Regulation also applies to waterworks or sewer facility expansion projects carried out by a person other than a municipality that has entered into an agreement with the municipality providing that the works will be transferred to the municipality before being put into service.

In addition, sections 13 to 19 and section 21 apply to waterworks and sewer projects where the owner is a person other than a waterworks or a sewer service within the meaning of the Regulation respecting waterworks and sewer services (R.R.Q., 1981, c. Q-2, r.7).

2. In this Regulation,

(1) “waterworks and sewer master plan” means any set of plans and specifications and other documents relating to the carrying out over a specified period of work relating to drinking water, wastewater or storm water to improve existing infrastructures or develop the territory of a municipality;

(2) “lakeshore”, “riverbank” and “floodplain” have the meaning assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005.

DIVISION II WATERWORKS AND SEWER MASTER PLANS

3. The municipalities may, under section 32 of the Environment Quality Act (R.S.Q., c. Q-2) and in accordance with this Division, submit the following projects using a waterworks and sewer master plan to the Minister of Sustainable Development, Environment and Parks for authorization:

- (1) drinking water projects involving
 - (a) the extension of water mains;
 - (b) the erection of a pumping, booster or chlorination station;
 - (c) the erection of chambers for shut-off valves, drain valves, air valves, meters or other similar apparatus; or
 - (d) the installation of accessories on the network;
- (2) wastewater or storm water projects involving
 - (a) the extension of sewer mains;
 - (b) the replacement of sewer mains by mains of a different diameter;
 - (c) the replacement of storm sewer mains that discharge into a combined sewer; or
 - (d) the construction of retention basins.

4. The waterworks and sewer master plan must contain the following information and documents:

- (1) information relating to land use including zoning, development plans or master land use plans;
- (2) the location of proposed work;
- (3) the presence, where applicable, of former residual materials disposal sites;
- (4) the presence, where applicable, of constant or intermittent watercourses, lakes, lakeshores, riverbanks, floodplains, ponds, marshes, swamps or bogs;
- (5) the presence, where applicable, of plant or wild-life habitats, designated threatened or vulnerable species or species likely to be so designated, or protected areas;
- (6) where applicable, a contaminated land rehabilitation plan;
- (7) specifications for the provisions relating to the management of surplus excavated materials;
- (8) the plans of existing networks and equipment and proposed equipment;
- (9) the capacity of the drinking water treatment facility;
- (10) a water report showing current and future needs and the consumption rate per person;

(11) the measures taken to save water and reduce leakage;

(12) the flows and pressures within the drinking water distribution network; and

(13) a sustainable conservation and management plan for wetlands and other natural settings adopted by the municipality, accepted by the Minister and integrated into the development plan.

Where the projects concern wastewater or storm water works, the waterworks and sewer master plan must contain the following additional information and documents:

(1) the impact of the proposed work on combined sewer overflows and the wastewater treatment plant discharge;

(2) the capacity of combined sewer overflows to meet overflow requirements and the capacity of the wastewater treatment plant to meet the discharge requirements published by the Minister:

(3) storm water flows and management strategies; and

(4) a program to monitor industrial discharges into the sewer networks.

5. The following site characterization reports prepared in accordance with the Site Characterization Guide referred to in section 31.66 of the Act, published by Les Publications du Québec and accessible at <http://www.mddep.gouv.qc.ca>, must be attached to the waterworks and sewer master plan:

(1) the preliminary site characterization report (phase I);

(2) when recommended in the preliminary characterization report (phase I), the preliminary site characterization report (phase II); and

(3) when recommended in the preliminary characterization report (phase II), the exhaustive site characterization report (phase III).

6. The waterworks and sewer master plan must be signed by an engineer who is a member of the Ordre des ingénieurs du Québec.

7. A certified copy of the resolution of the municipal council or, where applicable, of the competent authority of the borough designating the person entitled to submit to the Minister an application for authorization must be attached to the application for authorization.

8. An authorization issued by the Minister pursuant to this Division is valid for five years.

9. Prior to being carried out, the work to which this Division applies must be certified by an engineer who is a member of the Ordre des ingénieurs du Québec as having installation drawings and specifications that are in conformity with the master plan authorized by the Minister.

10. Not later than 60 days after the end of the work, an engineer who is a member of the Ordre des ingénieurs du Québec must certify that the work carried out is in conformity with this Division, the provisions of Division IV and the master plan authorized by the Minister.

The engineer must also sign and seal the as-built plans of the completed work and give the plans to the municipality or, where applicable, the borough.

11. Every certificate attesting to conformity with a waterworks and sewer master plan must be prepared on the form provided by the Minister.

12. The municipality or, where applicable, the borough must keep the certificates referred to in this Division and the plans referred to in section 10 for a minimum of ten years after completion of the work and make them available to the Minister.

DIVISION III WORK PROJECTS EXEMPT FROM THE APPLICATION OF SECTION 32 OF THE ACT

13. The following projects relating to drinking water are exempt from the application of section 32 of the Act:

(1) the reconstruction of water mains, except if

(a) the water mains are used to ensure the contact time for a continuous disinfection system; or

(b) the work must be carried out in a constant or intermittent watercourse or in a lake, lakeshore, riverbank, floodplain, pond, marsh, swamp or bog;

(2) the reconstruction of

(a) pumping, booster or chlorination stations;

(b) chambers for shut-off valves, drain valves, air valves, meters or other similar apparatus;

(c) distribution system accessories; and

(d) drinking water treatment facilities, provided that the work does not result in modification of drinking water treatment or an increase in capacity;

(3) the installation or increase in the production capacity of a drinking water treatment facility serving 20 persons or less provided that the work does not increase the number of persons served to more than 20;

(4) the installation of water mains in a stand-alone distribution system that supplies 20 persons or less.

14. The following projects relating to wastewater or storm water are exempt from the application of section 32 of the Act:

(1) the rehabilitation of sewer mains;

(2) work on existing retention basins;

(3) the replacement of sewer mains by mains of a similar diameter, except if

(a) a storm sewer discharges into a combined sewer; or

(b) the work must be carried out in a constant or intermittent watercourse or in a lake, lakeshore, riverbank, floodplain, pond, marsh, swamp or bog; and

(4) work on an existing pumping station or on an existing combined sewer overflow, provided that it does not modify the volumes of wastewater or storm water in the mains or the frequency of overflows and that the overflow requirements for the station or combined sewer overflow published by the Minister have been met for the two preceding years.

15. For the purposes of paragraph 1 of section 13 and paragraph 3 of section 14, if soil is excavated, the owner must

(1) identify the categories of industrial or commercial activities listed in Schedule III to the Land Protection and Rehabilitation Regulation, made by Order in Council 216-2003 dated 26 February 2003, that are or were situated on or adjacent to land where the work is to be carried out; and

(2) sample the soil to be excavated at the places likely to be contaminated for the parameters related to the activities concerned.

DIVISION IV SPECIAL STANDARDS FOR THE CARRYING OUT OF CERTAIN WORK

16. Subject to the second paragraph, if there is excavation, on-site soil must be reused in accordance with the Soil Protection and Contaminated Sites Rehabilitation Policy, published by Les Publications du Québec and accessible at <http://www.mddep.gouv.qc.ca>

Bedding and surround soil for water mains must be clean soil. The covering of the clean soil over a main must be at least 30 centimetres deep.

Surplus excavated materials must be treated, reclaimed or disposed of in compliance with the Act.

17. The work referred to in sections 3, 13 and 14 that is covered by standard specification NQ 1809-300 – Travaux de construction – Clauses techniques générales – Conduites d’eau potable et d’égout, must be carried out in accordance with the most recent edition of that specification.

The standard specification must be used in its entirety. Any change made to the content of the specification must be specified in a separate document, in the form of special technical clauses. The clauses may complete, modify or improve the general clauses of the standard specification, but they cannot lower the requirements.

18. The products and materials used for the works referred to in sections 3 and 13 that come in contact with drinking water must comply with the safety requirements in the most recent edition of NQ Standard 3660-950 – Safety of Products and Materials in Contact with Drinking Water.

DIVISION V MISCELLANEOUS

19. Every person who contravenes section 17 or 18 commits an offence and is liable

(1) to a fine of \$1,000 to \$5,000 in the case of a natural person;

(2) to a fine of \$10,000 to \$100,000 in the case of a legal person.

In the case of a second or subsequent offence, the fines are doubled.

20. The Minister is to publish the overflow and discharge requirements referred to in subparagraph 2 of the second paragraph of section 4 and in paragraph 4 of section 14.

21. This Regulation applies to the immovables in a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

22. The Regulation respecting waterworks and sewer services* (R.R.Q., 1981, c. Q-2, r.7) is amended by revoking sections 4 to 13 and sections 15 and 16.

23. The Minister is to report to the Government on the implementation of this Regulation at the latest by 15 June 2014 and thereafter every seven years.

The report is to be made available to the public not later than 15 days after being sent to the Government.

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

7930

Notice

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

Classification of employers, statement of wages and rates of assessment — Amendment

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that upon the expiry of 45 days following this publication the “Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment”, the text of which appears below, may be made by the Commission de la santé et de la sécurité du travail.

This Regulation amends an applicable rate for the 2007 year of assessment and which must be used to establish the assessment of employers belonging to a sector of activities for which a joint sector-based association was created.

* The Regulation respecting waterworks and sewer services (R.R.Q., 1981, c. Q-2, r.7) was last amended by the regulation made by Order in Council 647-2001 dated 30 May 2001 (2001, *G.O.* 2, 2641). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

Any person interested in making comments on this subject is asked to submit them in writing, before the expiry of this time period, to Mr. Roland Longchamps, Vice-President of Finance, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2.

RÉAL BISSON,
*Interim Chairman of the Board
and Chief Executive Officer
of the Commission de la santé
et de la sécurité du travail*

Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st para., subpara. 8.1)

1. The Regulation respecting the classification of employers, the statement of wages and the rates of assessment is amended by replacing, in Schedule 2, the rate of “0.08”, pertaining to the financing of the joint sector-based association of the clothing industries sector, with the rate of “0.06”.

2. This Regulation shall enter into force on the day of its publication in the *Gazette officielle du Québec* and is applicable to the 2007 assessment year.

7910

Draft Regulation

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

Medical aid — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), that the Regulation to amend the Regulation respecting medical aid, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval on the expiry of 45 days following this publication.

The following principles in the Act respecting industrial accidents and occupational diseases are maintained, namely: the worker may choose the physician; the worker’s physician prescribes and coordinates all treatments; the Commission is bound by the opinion of the worker’s physician, and the cost of medical aid is assumed by the Commission.

The purpose of the draft Regulation is to amend certain rules relating to the payment of physiotherapy and occupational therapy treatments and to that end, a new rate is proposed.

The requirement of a minimum seven-day waiting period and at least three treatment sessions per week is eliminated, as is the “reduced rate” which is no longer relevant under the new rules.

The addition of new guidelines is proposed, in particular to require that a reasoned opinion be obtained from a worker’s physician not later than eight weeks or 30 treatments after the date on which the worker begins treatment with the member of the Ordre de la physiothérapie or the occupational therapist, in excess of which payments will not be made without a reasoned opinion from the worker’s physician. The guidelines seek to encourage the prevention of chronicity by providing the physician with an opportunity to revise his or her treatment plan.

Amendments are proposed to Schedule III regarding the information to be given in reports.

The draft Regulation also contains certain terminology-related amendments.

* The latest amendments to the Regulation respecting the classification of employers, the statement of wages and the rates of assessment adopted by the Commission de la santé et de la sécurité du travail by its resolution A-73-97 of October 16, 1997 (1997, *G.O.* 2, 6847) were made by the Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment adopted by the Commission by its resolution A-61-06 of September 21, 2006 (2006, *G.O.* 3105). For the previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec 2006, up-to-date as of September 1, 2006.

To date, study of the matter has shown little impact on small and medium-sized businesses.

Further information may be obtained by contacting Danielle Dumas, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3006; fax: 514 906-3005.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Guylaine Rioux, Vice-president, Liaison with Partners and Consultancy, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1.

RÉAL BISSON,
*Interim Chair of the Board of Directors and
Chief Executive Officer of the Commission de la
santé et de la sécurité du travail*

Regulation to amend the Regulation respecting medical aid*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 189, par. 5 and s. 454,
1st par., subpar. 3.1)

1. Section 1 of the Regulation respecting medical aid is amended

(1) by replacing the definition of “health worker” by the following:

““health worker” means a natural person, other than a health professional within the meaning of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), entered on the roll of a professional order governed by the Professional Code (R.S.Q., c. C-26) and working in the field of health care; (*intervenant en santé*)”;

(2) by striking out the definition of “physical rehabilitation therapist”.

2. Section 3 is amended

(1) by replacing “l’ordonnance” in the French text of the second paragraph by “la prescription”;

(2) by striking out the last paragraph.

* The Regulation respecting medical aid, approved by Order in Council 288-93 dated 3 March 1993 (1993, *G.O.* 2, 963), was last amended by the regulation approved by Order in Council 561-94 dated 20 April 1994 (1994, *G.O.* 2, 1502).

3. Section 6 is amended by replacing “Public Health Protection Act (R.S.Q., c. P-35)” in the second paragraph by “Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., c. L-0.2)”.

4. Section 8 is amended by replacing “and of the supplies that he uses” at the end by “, of the supplies used by the health worker and of ancillary costs.”.

5. Section 12 is revoked.

6. Section 13 is replaced by the following:

“**13.** The Commission shall assume the cost of physiotherapy and occupational therapy treatment administered by a member entered on the roll of the Ordre professionnel de la physiothérapie du Québec or by an occupational therapist entered on the roll of the Ordre professionnel des ergothérapeutes du Québec.”.

7. Section 14 is replaced by the following:

“**14.** The Commission shall pay the amounts in Schedule I for physiotherapy and occupational therapy treatment if the Commission and the physician in charge of the worker have received from the member of the Ordre professionnel de la physiothérapie du Québec or from the occupational therapist, for each worker, an initial report, a treatment termination report or, where required, a progress report for each 21-day period of treatment.”.

8. Section 15 is replaced by the following:

“**15.** A report referred to in section 14 must contain the information prescribed in Schedule III and be signed by the member of the Ordre professionnel de la physiothérapie du Québec or by the occupational therapist who personally administered the treatment.”.

9. Section 16 is replaced by the following:

“**16.** Despite section 14, no treatment administered shall be paid after the end of the following periods, whichever ends earlier:

(1) a period of 8 weeks from the date of taking charge by the health worker referred to in section 13, unless the health worker obtains from the physician in charge of the worker a reasoned opinion in writing to continue the treatment, giving an assessment of the worker’s functional status, and the opinion is sent by the health worker to the Commission;

(2) a treatment period in which 30 physiotherapy treatments or 30 occupational therapy treatments are administered after the taking charge, unless the health worker obtains the reasoned opinion in writing referred to in subparagraph 1 and the opinion is sent by the health worker to the Commission.

For the purposes of this section, a subsequent prescription from the same or another physician and the taking charge by another health worker referred to in section 13 does not operate to extend the periods referred to in this section unless the health worker obtains the reasoned opinion in writing referred to in subparagraph 1 and the opinion is sent by the health worker to the Commission. A single reasoned opinion in writing, duly completed, must be obtained and sent in accordance with this section within the abovementioned periods, in which case no other opinion is required.”.

10. Schedule I is amended

(1) by replacing “Regular rate” by “Rate”;

(2) by striking out the column “Reduced rate” and the amounts relating thereto;

(3) by replacing

“Occupational therapy

Individual treatment, per session	\$32.00
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Group treatment, per session	\$19.00”
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by

“Occupational therapy

Individual treatment, per session	\$35.00
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Group treatment, per session	\$21.00”;
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(4) by replacing

“Physiotherapy

Individual treatment, per session	\$32.00
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Group treatment, per session	\$19.00”
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by

“Physiotherapy

Individual treatment, per session	\$35.00
-----------------------------------	---------

Group treatment, per session	\$21.00”.
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11. Schedule III is replaced by the following:

“SCHEDULE III

(s. 15)

REPORT CONTENT

1. An initial report, a progress report and a treatment termination report must contain

(1) the worker’s name, health insurance number, telephone number and address;

(2) the name and number of the member of the professional order;

(3) the name, telephone number and services dispenser number or, where applicable, the group number;

(4) the signature of the member of the professional order who personally administered treatment and the date of the signature;

(5) the name of the physician in charge of the worker and number assigned to the physician by the professional order or, if there is a change of physician, the name of the new physician and number assigned to the new physician by the professional order;

(6) the date of the employment injury and, where applicable, the date of any relapse, reoccurrence or aggravation;

(7) the diagnosis by the physician in charge of the worker;

(8) the date of the prescription for treatment;

(9) an indication of any former referral or treatment in physiotherapy or occupational therapy in the case of the initial report;

(10) the date of the beginning of treatment;

(11) the frequency of treatment;

(12) an indication, where applicable, as to whether the treatment is for maintenance, for verification or for a special approach or whether there is a contraindication for the continuation of treatment; and

(13) the worker’s attendance record stating the dates of treatment administered and the dates of the worker’s absences for treatment, where applicable, except in the case of an initial report.

2. An initial report and a treatment termination report must also contain

(1) the date of taking charge and initial evaluation in the case of an initial report;

(2) the problems, goals and treatment plan in the case of an initial report; and

(3) in the case of a treatment termination report, the date of completion of treatment and, where applicable, the date of release from the physician in charge of the worker, as well as an evaluation of the worker's condition upon the termination of treatment.

3. A progress report must contain, in addition to the information required by section 1,

(1) an evaluation of the worker's subjective and objective signs;

(2) an analysis of the worker's problems and the treatment plan;

(3) the changes in the worker's condition;

(4) the reasons for and the date of any suspension of treatment; and

(5) the planned duration of any further treatment.”.

12. The cost of physiotherapy and occupational therapy treatment administered before the date of coming into force of this Regulation is to be paid by the Commission according to the rules applicable at the time the treatment was administered.

13. Where physiotherapy or occupational therapy treatment is pursuant to a prescription issued before the date of coming into force of this Regulation, section 16 of the Regulation respecting medical aid, as amended by section 9 of this Regulation, does not apply even if the treatment is administered after that date, unless the physician in charge of the worker again prescribes such treatment after that date.

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

7933

Draft Regulation

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

Midwives

— Diploma and training equivalence standards for the issue of permits

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec, made by the Bureau of the Ordre des sages-femmes du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The Regulation, pursuant to paragraph *c* of section 93 of the Professional Code, clarifies the equivalence standards to be applied to diplomas from educational institutions outside Québec so that a permit may be issued by the Ordre des sages-femmes du Québec, as well as the equivalence standards that apply to the training of a person who does not hold a permit required.

The Regulation also determines, pursuant to paragraph *c.1* of section 93 of the Professional Code, an equivalence recognition procedure providing that a decision must be reviewed by persons other than the persons who made it. This new regulatory power was created by the Act to amend the Professional Code as regards the issue of permits (2006, c. 20), assented to on 14 June 2006.

The Order considers that the Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Raymonde Gagnon, Chair and Director General, Ordre des sages-femmes du Québec, 430, rue Sainte-Hélène, bureau 405, Montréal (Québec) H2Y 2K7; telephone: 514 286-1313; fax: 514 286-0008.

Any person having comments to make is asked to send them to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, before the expiry of the 45-day period. The comments will be forwarded by the Office to the Minister responsible for the administration of

legislation respecting the professions and may also be forwarded to the professional order that made the Regulation and to interested persons, departments and bodies.

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

Regulation respecting diploma and training equivalence standards for the issue of permits by the Ordre des sages-femmes du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, pars. c and c.1; 2006, c. 20, s. 4)

DIVISION I GENERAL

1. The secretary of the Ordre des sages-femmes du Québec must forward a copy of this Regulation to a person who, for the purpose of obtaining a permit from the Order, applies to have a diploma or training recognized as equivalent.

2. In this Regulation,

“diploma equivalence” means recognition pursuant to the Professional Code that a diploma issued by an educational institution outside Québec certifies that a candidate’s level of competence is equivalent to the level attained by the holder of a diploma giving access to a permit;

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

“training equivalence” means recognition pursuant to the Professional Code that a candidate’s training has enabled him or her to attain a level of competence equivalent to the level attained by the holder of a diploma giving access to a permit.

DIVISION II DIPLOMA EQUIVALENCE STANDARDS

3. A candidate who holds a diploma issued by an educational institution outside Québec is granted a diploma equivalence if

(1) the diploma was obtained upon completion of theoretical instruction at a level equivalent to a university-level comprising a minimum of 1,080 hours, 899 of which are apportioned as follows:

(a) a minimum of 577 hours of instruction in basic subjects apportioned as follows:

i. 170 hours in human anatomy and physiology, including a review of the various systems, the physiology of reproduction and breastfeeding, embryogenesis, genetics, physiological changes in pregnancy and the physiology of labour, delivery and the normal puerperium;

ii. 85 hours in biomedical science, including interpretation of laboratory tests, biochemistry, endocrinology, microbiology, haematology and immunology;

iii. 42 hours in pharmacology, including pharmacology pertaining to childbearing;

iv. 70 hours in the psychosocial aspects of pregnancy and communication skills;

v. 42 hours in nutrition of women during pregnancy and the puerperium and in infant feeding, in particular breastfeeding;

vi. 45 hours in the professional obligations, ethics and professional regulations in Québec;

vii. 42 hours in epidemiology and research methodology;

viii. 42 hours in the social and cultural aspects of health care in Québec; and

xi. 39 hours in women’s studies;

(b) a minimum of 322 hours of specific instruction in the field of midwifery practice apportioned as follows:

i. 39 hours dealing with normal pregnancy;

ii. 82 hours in pathologies of pregnancy;

iii. 24 hours dealing with normal labour and delivery;

iv. 15 hours in pathologies of the intrapartum period;

v. 22 hours dealing with the normal puerperium;

vi. 12 hours in pathologies of the puerperium;

vii. 12 hours dealing with the normal newborn;

viii. 26 hours in neonatal pathologies;

ix. 45 hours of introduction to the practice of midwifery in Québec; and

x. 45 hours dealing with the technical and interpersonal skills required of midwives in Québec;

(2) the diploma was obtained upon completion of practical training comprising a minimum of 1,740 hours including

(a) 300 hours in prenatal clinical placement, including a minimum of 250 prenatal consultations;

(b) 480 hours in clinical placement in labour and delivery, including labour support and a minimum of 60 deliveries, 40 of which have been performed as primary caregiver;

(c) complete physical examination of 15 newborns during their first twenty-four hours of life;

(d) 85 hours in postpartum clinical placement, including breastfeeding support and a minimum of 60 maternal consultations and 60 newborn consultations;

(e) 450 hours of intership within a team of midwives during which the candidate independently provides all primary care that is part of the practice of midwifery, including prenatal, intrapartum and postnatal care; and

(f) 160 hours spent with professionals other than midwives during which the candidate had exposure to clinical risk situations and obstetrical and neonatal complications.

Practical training must have included a minimum of 10 continuous courses of care. Each course of care includes a minimum of seven consultations, at least one of which is prenatal and one is postnatal, in addition to attending the delivery. The complete courses of care may have been performed, in whole or in part, within the scope of subparagraphs *a* to *e* of the first paragraph of paragraph 2.

4. Despite section 3, where the diploma for which an equivalence application is made was obtained more than three years before the application and, considering developments in the profession, the knowledge certified by the diploma no longer corresponds to the knowledge currently being taught in a program of studies leading to a diploma giving access to a permit, the candidate is granted a training equivalence pursuant to section 5 if the candidate has attained the required level of competence since obtaining his or her diploma.

DIVISION III **TRAINING EQUIVALENCE STANDARDS**

5. A candidate is granted a training equivalence if the candidate demonstrates having a level of competence equivalent to the level attained by the holder of a diploma giving access to a permit.

6. In assessing the training equivalence of a candidate, the Bureau is to take into particular account the following factors:

(1) the fact that the candidate holds one or more diplomas;

(2) the nature and content of courses taken, the number of hours or credits of each course, and the results obtained;

(3) the total number of years of education;

(4) the supervised training periods in the practice of midwifery and other training or upgrading activities;

(5) the nature and duration of the candidate's experience in the field of midwifery practice; and

(6) any contribution to the development of the profession of midwifery.

DIVISION IV **EQUIVALENCE RECOGNITION PROCEDURE**

7. A candidate who wishes to have an equivalence recognized must provide the secretary with the following documents and information:

(1) a written application together with the fees required for dossier assessment under paragraph 8 of section 86.0.1 of the Professional Code;

(2) the candidate's complete academic record, including a description of courses taken, the number of hours or credits of each course, and the official transcript of the results obtained;

(3) a certified copy of the diplomas held by the candidate;

(4) where applicable, proof that the candidate is or was a member of a recognized order or association of midwives or a certified copy of any permit the candidate holds or has held;

(5) where applicable, an attestation and description of the candidate's relevant work experience in the field of midwifery practice;

(6) where applicable, an attestation of the candidate's successful completion of any supervised clinical training or participation in any other training or upgrading activity in the field of midwifery practice and a detailed description of the content of the activity; and

(7) where applicable, any information relating to other factors the Bureau may take into account pursuant to section 6.

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

9. The committee formed by the Bureau to study equivalence applications is to make appropriate recommendations to the Bureau.

10. At the first meeting following the date of receipt of a recommendation, the Bureau must decide

- (1) to recognize the diploma or training equivalence;
- (2) to recognize the training equivalence in part; or
- (3) to refuse to recognize the diploma or training equivalence.

11. Within 15 days of the decision by the Bureau, the secretary of the Order must send the decision to the candidate in writing by registered mail.

Where the Bureau refuses to recognize the equivalence applied for or recognizes the training equivalence in part, it must, at the same time, inform the candidate in writing of the education programs, bridging programs, clinical placements or examinations that the candidate could successfully complete within the allotted time to enable the candidate to be granted the training equivalence.

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

The committee formed by the Bureau to decide review applications is composed of persons who are not members of the Bureau or the committee provided for in section 9.

The committee must, before disposing of the application, inform the candidate of the date on which it will hold the meeting relating to the candidate's application and of the candidate's right to make submissions.

A candidate who wishes to be present at the meeting to make submissions must notify the secretary at least five days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

The decision of the committee is final and must be sent to the candidate in writing by registered mail within 30 days following the date of the decision.

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

7918

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

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