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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 401-2007, 6 June 2007

An Act to amend the Youth Protection Act and other legislative provisions (2006, c. 34) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Youth Protection Act and other legislative provisions

WHEREAS the Act to amend the Youth Protection Act and other legislative provisions (2006, c. 34) was assented to on 15 June 2006;

WHEREAS section 79 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government, except section 72.11, enacted by section 39, and sections 76 and 77, which came into force on 15 June 2006;

WHEREAS it is expedient to set the date of coming into force of all the other provisions of the Act, except paragraph 3 of section 10, paragraph 1 of section 33, sections 36, 39 and subparagraphs *i* and *j* of the first paragraph of section 132, enacted by section 70 of the Act;

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

THAT 9 July 2007 be set as the date of coming into force of all the other provisions of the Act to amend the Youth Protection Act and other legislative provisions (2006, c. 34) not already in force, except section 8, paragraph 3 of section 10, paragraph 1 of section 33 and sections 35, 36, 39 and 70 of the Act;

THAT 1 November 2007 be set as the date of coming into force of sections 8, 35 and subparagraph *k* of the first paragraph of section 132, enacted by section 70 of the Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Draft Regulations

Draft Regulation

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

Benefits authorized for pharmacists

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 benefits authorized for pharmacists, appearing below, may be made by the Government on the expiry of 45 days following this publication.

For the purposes of the prescription drug insurance plan, the draft Regulation determines which benefits relating to pharmaceutical services or medications for which a pharmacist is claiming payment are authorized under the Act respecting prescription drug insurance (R.S.Q., c. A-29.01).

Further information on the draft Regulation may be obtained by contacting:

Guy Simard
Direction de l'actuariat et de l'analyse des programmes
Régie de l'assurance maladie du Québec
1125, Grande Allée Ouest, 8^e étage
Québec (Québec) G1S 1E7

Telephone: 418 682-3921
Fax: 418 643-7312

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting benefits authorized for pharmacists

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 22; 2005, c. 40, s. 9)

1. The only benefits authorized within the meaning of the third paragraph of section 22 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01) are the professional allowances and the other authorized benefits provided for in this Regulation.

2. A professional allowance is a reduction as a discount, rebate or premium, good, service, gratuity or any other benefit granted, paid or provided, directly or indirectly, by a generic drug manufacturer to an owner pharmacist, other than the discount referred to in paragraph 2 of section 2 of Schedule I to the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized*, that is used only for the purposes and before the expiry date and limit set in this section.

The purposes contemplated by this section are

(1) the funding of training and continuing education programs and activities in Québec intended to upgrade the scientific knowledge or professional skills of pharmacists and pharmacy technical assistants. The cost of the programs or activities and their frequency must be reasonable in relation to the nature of the activities offered;

(2) the funding of activities intended for the general public that take place in the pharmacy concerning the promotion or protection of health, disease prevention and the communication of information on diseases or medications, and that are based on scientific grounds. The cost of the activities, their frequency and the number of patients involved per pharmacy must be reasonable in relation to the nature of the activities offered;

(3) the acquisition of educational equipment and material used in the pharmacy and intended to improve the management of chronic diseases and services to train in the reading of devices required for that purpose, in particular devices to measure arterial pressure, glycemia or used for asthma management or anticoagulant therapy, including the relevant software but excluding the purchase or rental of computers. Professional allowances may not be used by an owner pharmacist to purchase an inventory of devices or materials intended for sale at retail;

(4) the acquisition or maintenance of equipment intended to achieve greater quality and safety in the distribution of medications in the pharmacy, in particular devices used for the automated processing of medica-

* A regulation amending that Regulation was published as a draft on page 1556.

tions. To calculate the professional allowances received by an owner pharmacist, the cost to acquire equipment referred to in this subparagraph may be spread over a reasonable number of years subsequent to the acquisition, taking into account the service life of the equipment; and

(5) the remuneration of pharmacists and pharmacy technical assistants assigned to maintaining or improving the delivery of professional services to promote the optimal use of medications, in particular the preparation and implementation of pharmaceutical care plans.

The limit set in this section is a maximum amount per generic drug manufacturer for a given pharmacy and a given year, corresponding to 20% of the total value of the sales by the manufacturer of generic drugs on the list of medications to an owner pharmacist or, as the case may be, to each owner pharmacist, for that same year, under the basic prescription drug insurance plan.

The expiry date set in this section is the last day of the sixth month following the end of the year in which the reduction, rebate, discount, premium, good, service, gratuity or other benefit was granted, paid or provided to the owner pharmacist.

For the purposes of the third and fourth paragraphs, “year” means a fiscal year of the pharmacy.

3. For the purposes of this Regulation, a good or service provided by a manufacturer of innovative drugs to an owner pharmacist or paid by such a manufacturer for the benefit of the owner pharmacist is an authorized benefit other than a professional allowance, provided that the good or service is used exclusively for one of the following purposes:

(1) the carrying out of training and continuing education programs and activities in Québec intended to upgrade the scientific knowledge or professional skills of pharmacists and pharmacy technical assistants. The cost of the programs or activities and their frequency must be reasonable in relation to the nature of the activities offered;

(2) the carrying out of activities intended for the general public that take place in the pharmacy concerning the promotion or protection of health, disease prevention and the communication of information on diseases or medications, and that are based on scientific grounds. The cost of the activities, their frequency and the number of patients involved per pharmacy must be reasonable in relation to the nature of the activities offered;

(3) the supply of educational equipment and material used in the pharmacy and intended to improve the management of chronic diseases and services to train in the reading of devices required for that purpose, in particular devices to measure arterial pressure, glycemia or used for asthma management or anticoagulant therapy, including the relevant software but excluding the purchase or rental of computers. The goods supplied may not constitute an inventory of devices or materials intended for sale at retail.

4. An owner pharmacist must keep a record of all the professional allowances and other benefits authorized under this Regulation, including any other benefit received by the pharmacist, directly or indirectly, from a manufacturer.

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

8153

Draft Regulation

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

Conditions on which manufacturers and wholesalers of medications are recognized — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make the consequential amendments required by the coming into force of the Controlled Drugs and Substances Act (S.C. 1996, c. 19).

It also modifies the maximum profit margin that applies to drug wholesalers.

The proposed amendment will reduce some of the distortions that have appeared in the drug market and decrease the considerable disparity in the profit margins of wholesalers, which ranges from 5.00% to 7.15% without that difference necessarily reflecting a different level of services.

Lastly, the draft Regulation specifies, for the purposes of the basic prescription drug insurance plan (public plan and private plans), what benefits granted by a drug manufacturer to a pharmacist are authorized under the Act respecting prescription drug insurance (R.S.Q., c. A-29.01).

Further information may be obtained by contacting:

— as regards the consequential amendments and the profit margin of wholesalers:

André Comeau
Conseil du médicament
1195, avenue Lavigerie, 1^{er} étage, bureau 100
Québec (Québec) G1V 4N3
Telephone: 418 643-3140
Fax: 418 646-8349

— as regards the benefits authorized for pharmacists:

Guy Simard
Direction de l'actuariat et de l'analyse des programmes
Régie de l'assurance maladie du Québec
1125, Grande Allée Ouest, 8^e étage
Québec (Québec) G1S 1E7
Telephone: 418 682-3921
Fax: 418 643-7312

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 80; 2005, c. 40, s. 27)

1. The Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized is amended by replacing paragraph 3 of section 2 by the following:

“(3) he must hold a permit or licence issued under subsection 55(1) of the Controlled Drugs and Substances Act (S.C. 1996, c. 19) and be an authorized distributor holding a permit for the importation, production or sale of drugs and controlled substances issued under that subsection;”.

2. Schedule I is amended in section 1

(1) by replacing “9” in subparagraph 2 of the second paragraph by “7”;

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

“The guaranteed selling price is the price that a buyer must pay for a drug. It is reduced by the value of any reduction granted by the manufacturer as a rebate, discount or premium and by the value of any good or service provided without consideration to a buyer by the manufacturer, other than professional allowances or other benefits authorized under the Regulation respecting the benefits authorized for pharmacists**.”.

3. Schedule I is amended in section 2

(1) by replacing paragraph 2 by the following:

“(2) the manufacturer may grant a discount for a payment made within 30 days following the purchase, provided that the discount does not exceed 2% of the net price;”.

* The Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, made by Order 92 06 dated 6 July 1992 (1992, *G.O.* 2, 3263) of the Minister of Health and Social Services, was last amended by the regulation made by Minister's Order 1999 dated 28 April 1999 (1999, *G.O.* 2, 1289). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

** The Regulation was published as a draft on page 1555.

(2) by replacing paragraph 4 by the following:

“(4) no reduction in the price of a drug may be granted to a buyer or an intermediary, including a wholesaler, a commercial name or a chain of pharmacies for the attainment of a fixed purchase volume for a given period, and no good or service may be provided without consideration or reduction as a rebate, discount or premium, other than a professional allowance or other benefit authorized for an owner pharmacist within the meaning of the Regulation respecting the benefits authorized for pharmacists, or a professional allowance for an owner pharmacist who deals through a wholesaler, a commercial name or a chain of pharmacies that is paid in whole to the owner pharmacist, and other than a discount referred to in paragraph 2;”;

(3) by replacing “property given without consideration and no reduction given in the form of a rebate, discount or premium” in paragraph 5 by “good provided without consideration or reduction as a rebate, discount or premium, other than a professional allowance or other benefit authorized under the Regulation respecting the benefits authorized for pharmacists,”.

4. Schedule I is amended by inserting the following after section 2:

“**2.1.** The manufacturer undertakes to reimburse to the Board an amount corresponding to the value of any reduction as a rebate, discount or premium, of any good, service or gratuity or of any other benefit granted to an owner pharmacist that is not a professional allowance or other authorized benefit within the meaning of the Regulation respecting the benefits authorized for pharmacists or a discount referred to in paragraph 2 of section 2. The manufacturer also undertakes to pay to the Board a sum corresponding to 20% of that amount as administrative expenses.

2.2. The generic drug manufacturer undertakes to send the Board an annual report on or before 1 March for the preceding calendar year giving the detail of the reductions as rebates, discounts or premiums, the gratuities, goods, services or any other benefit, other than the discount referred to in paragraph 2 of section 2, granted by the manufacturer to each owner pharmacist in Québec. The report must also state the value of all the sales of generic drugs on the list of medications that are sold directly to owner pharmacists or indirectly through wholesalers, a commercial name or a chain of pharmacies, under the basic prescription drug insurance plan. If a pharmacist owns more than one establishment, the data must be detailed by establishment. If a pharmacy is owned by a partnership of pharmacists or a joint-stock company, the data must be detailed by partnership or company and, where applicable, by establishment.

The manufacturer agrees to the Board sending the report to the Ministère de la Santé et des Services sociaux, the Conseil du médicament and the Ministère du Revenu du Québec. The manufacturer also undertakes to provide those departments and that body, on request, and the Board with all additional information they may require in relation to the content of the report.”.

5. The English text of paragraph 5 of section 1 of Schedule II is replaced by the following:

“(5) no good may be provided without consideration and no reduction as a rebate, discount or premium may be granted to a buyer;”.

6. Schedule II is amended by replacing “9” in the first paragraph of section 2 by “7”.

7. The English text of the title of the Regulation is replaced by the following:

“Regulation respecting the conditions governing the accreditation of manufacturers and wholesalers of medications”.

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

8161

Draft Regulation

General and Vocational Colleges Act
(R.S.Q., c. C-29)

College education — 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 College Education Regulations, appearing below, may be made by the Government on the expiry of 21 days following this publication.

The purpose of the draft Regulation is to modify certain conditions of admission to college studies to reflect the new rules governing certification of studies set out in the basic regulations for secondary education.

Under section 12 of the Regulations Act, the Regulation may be made within a shorter period than the period provided for in section 11 of that Act, by reason of the urgency owing to the following circumstances:

— The purpose of the amendments made to the College Education Regulations is to allow certain students obtaining certification of their secondary studies at the end of the 2006-2007 school year to pursue studies at the college level;

— The students must be informed as soon as possible of their admission to college studies except that the time required for publication of the Regulation will result in a delay in confirmation of the admission by the educational institutions.

Further information may be obtained by contacting Christian Ragusich, Director, Direction de l'enseignement collégial, Ministère de l'Éducation, du Loisir et du Sport, 1035, rue De La Chevrotière, 18^e étage, Québec (Québec) G1R 5A5; telephone: 418 644-8976.

Interested persons having comments to make on the matter are asked to send them in writing, before the expiry of the 21-day period, to the Minister of Education, Recreation and Sports, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

Minister of Education, Recreation and Sports,
MICHELLE COURCHESNE

Regulation to amend the College Education Regulations*

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18)

1. Section 2 of the College Education Regulations is replaced by the following:

“**2.** A holder of a Secondary School Diploma who satisfies the special conditions, if any, established by the Minister for admission may be admitted to a program of studies leading to a Diploma of College Studies.

The Minister may make remedial activities compulsory if the holder of the Secondary School Diploma has not obtained the number of credits allotted by the Basic school regulation for preschool, elementary and secondary education made by Order in Council 651-2000 dated

1 June 2000 or by the Basic Adult General Education Regulation made by Order in Council 652-2000 dated 1 June 2000 for the following subjects:

- (1) Secondary V Language of Instruction;
- (2) Secondary V Second Language;
- (3) Secondary IV Mathematics;
- (4) Secondary IV Physical Science; and
- (5) Secondary IV History of Québec and Canada.

2.1. A holder of a Secondary School Vocational Diploma who satisfies the special conditions, if any, established by the Minister for admission or has obtained the number of credits allotted by the Basic school regulation for preschool, elementary and secondary education or by the Basic Adult General Education Regulation for the following subjects may be admitted to a program of studies leading to a Diploma of College Studies:

- (1) Secondary V Language of Instruction;
- (2) Secondary V Second Language; and
- (3) Secondary IV Mathematics.

A holder of a Secondary School Vocational Diploma who satisfies the special conditions established by the Minister may be admitted to a program of studies leading to the Diploma of College Studies designated by the Minister. The conditions are established for each program of studies to ensure continuity of training and are based on the vocational training received at the secondary level.

2.2. Despite sections 2 and 2.1, a college may admit a person to a program of studies leading to a Diploma of College Studies if the person has received instruction the college considers equivalent.”.

2. Section 3 is replaced by the following:

3. A college may not make eligibility under paragraph *e* of section 19 of the General and Vocational Colleges Act (R.S.Q., c. C-29) for admission to a program of studies leading to a Diploma of College Studies contingent on the successful completion of specific secondary school courses other than the courses required to obtain a Secondary School Diploma or a Secondary School Vocational Diploma, the courses relating to the subjects referred to, as the case may be, in subparagraphs 1 to 5 of the second paragraph of section 2 or subparagraphs 1 to 3 of the first paragraph

* The College Education Regulations, made by Order in Council 1006-93 dated 14 July 1993 (1993, *G.O.* 2, 3995), was last amended by the regulation made by Order in Council 1102-2001 dated 19 September 2001 (2001, *G.O.* 2, 5567). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

of section 2.1, or the courses required under special conditions established by the Minister for admission to a program of studies.

A college may, however, make compulsory such remedial activities as the Minister may determine.

The credits awarded for the remedial activities are determined by the Minister but they may not count towards the Diploma of College Studies.”.

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

8164

Draft Regulation

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

Hunting and fishing controlled zones — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hunting and fishing controlled zones, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make consequential amendments to reflect the grouping of trapping licences under the name professional trapping licences, as provided for in the draft Regulation to amend the Regulation respecting trapping activities and the fur trade.

To that end, the draft Regulation proposes to replace the reference to a helper by a reference to a professional licence holder who is authorized to trap in the territory.

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

Further information on the draft Regulation may be obtained by contacting Serge Bergeron, Ministère des Ressources naturelles et de la Faune, Direction des territoires fauniques et de la réglementation, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7393; fax: 418 646-5179; e-mail: serge.bergeron@mrf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Gilles Desaulniers, Acting Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting hunting and fishing controlled zones*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, 1st par., subpar. 6 and 2nd par.)

1. Section 19 of the Regulation respecting hunting and fishing controlled zones is amended by replacing “his helper” in subparagraph 6 of the second paragraph by “a professional licence holder authorized by the lessee to trap”.

2. This Regulation comes into force on 1 August 2008.

8157

Draft Regulation

An Act respecting parental insurance
(R.S.Q., c. A-29.011)

Regulation — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation under the Act respecting parental insurance, made by the Conseil de

* The Regulation respecting hunting and fishing controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), was last amended by the regulation made by Order in Council 485-2004 dated 19 May 2004 (2004, *G.O.* 2, 1642). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

gestion de l'assurance parentale on 19 April 2007 and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

As regards eligibility under the parental insurance plan, the draft Regulation provides that the employment in Québec of a Canadian resident in the service of a non-governmental international organization is employment covered by the plan.

The draft Regulation clarifies the time periods over which the remuneration must be allocated for the purposes of determining average weekly income and accounting for concurrent income to establish the benefit payable.

Various consequential amendments are made to harmonize with the Employment Insurance Regulations (SOR/96-332) to take into account the broader list of persons entitled to compassionate care benefits so that an extended parental insurance benefit period is available to them.

The draft Regulation has no financial impact on enterprises.

Further information may be obtained by contacting Jean-François Bernier, 1122, Grande-Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; telephone: 418 528-8818; fax: 418 643-6738.

Any interested person having comments to make on the matter is asked to send them in writing to the President and Director General of the Conseil de gestion de l'assurance parentale, 1122, Grande-Allée Ouest, 1^{er} étage, bureau 104, Québec (Québec) G1S 1E5; fax 418 643-6738, within the 45-day period following this publication.

SAM HAMAD,
*Minister of Employment
and Social Solidarity*

Regulation to amend the Regulation under the Act respecting parental insurance*

An Act respecting parental insurance (R.S.Q., c. A-29.011, ss. 4, 7, 21, 23, 38 and 88, 1st par., subpars. 3 and 6)

1. The table of contents of the Regulation under the Act respecting parental insurance is amended by replacing “Division VIII Payment of benefits 36 to 43” by “Division VIII Payment of benefits 36 to 43.1”.

2. Section 9 is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) employment in Québec of a Canadian resident by another government or by an international governmental organization, unless that government or international governmental organization agrees to the employment being included;”.

3. Section 19 is amended by inserting “, allocated in accordance with section 26.1” in paragraph 8 after “insurable earnings”.

4. The following is added after section 26:

“**26.1.** Where insurable earnings from employment are considered pursuant to section 22 of the Act, a person’s insurable earnings or eligible wages are allocated in accordance with the provisions in the Employment Insurance Regulations respecting the allocation of insurable earnings.”.

5. Section 27 is amended by replacing “For the purposes of section 21 of the Act, the average” by “The average”.

6. Subparagraph 3 of the first paragraph of section 34 is replaced by the following:

“(3) the person’s presence is required, because of a serious illness or a serious accident, with the person’s child, spouse, spouse’s child, father, mother, father’s or mother’s spouse or any other person who is a member of

* The Regulation under the Act respecting parental insurance, approved by Order in Council 986-2005 dated 19 October 2005 (2005, *G.O.* 2, 4742), was last amended by the regulation made by Order in Council 374-2006 dated 2 May 2006 (2006, *G.O.* 2, 1461). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

the family for the purposes of the provisions in the Employment Insurance Regulations respecting compassionate care benefits; or”.

7. Subparagraph 2 of the first paragraph of section 36 is replaced by the following:

“(2) the person’s presence is required, because of a serious illness or a serious accident, with the person’s child, spouse, spouse’s child, father, mother, father’s or mother’s spouse or any other person who is a member of the family for the purposes of the provisions in the Employment Insurance Regulations respecting compassionate care benefits.”.

8. Section 42 is amended by striking out paragraphs 5 and 6.

9. The following is inserted after section 43:

“**43.1.** For the purposes of section 41, the earnings of a recipient are allocated as follows:

(1) earnings payable for the performance of services are allocated to the period in which the services were performed;

(2) earnings paid without the performance of services or without regard to the services are allocated to the period for which they are payable;

(3) earnings paid that are from commissions are allocated

i. if they arise out of a transaction, to the week in which the transaction occurred;

ii. to the period in which the services that gave rise to the commission were performed; and

iii. to the period for which the earnings are payable, in any other case;

(4) earnings paid for holidays, including vacation and statutory holidays, are allocated

i. if the earnings are paid for a specific period, to that period; and

ii. if the earnings are paid in a lump sum without regard to a specific period, to the period for which they are payable;

(5) income replacement indemnities referred to in paragraphs 3 to 4.1 of section 42 are allocated to the period for which they are payable; and

(6) any other earnings paid are allocated

i. to the period for which they are payable;

ii. if they are not allocated to a period, to the week in which they are paid; and

iii. if they arise out of a transaction, to the week in which the transaction occurred.

Where the period for which earnings are payable does not coincide with a week, the earnings are allocated to any week that is wholly or partly in the period in the proportion that the number of days concerned during the week is of the number of days concerned during the period.”.

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

8162

Draft Regulation

An Act respecting the Régie de l’énergie
(R.S.Q., c. R-6.0)

Annual duty payable to the Green Fund

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the annual duty payable to the Green Fund, appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation establishes the rate and method of calculation of the annual duty payable by a distributor on the basis of the carbon dioxide (CO₂) emissions generated by the combustion of natural gas and fuel, the rate of interest on sums due and the penalties exacted for failure to pay. It also establishes the conditions on which distributors must pay the annual duty to the Green Fund established under section 15.1 of the Act respecting the Ministère du Développement durable, de l’Environnement et des Parcs (R.S.Q., c. M-15.2.1), amended by chapters 3, 14 and 46 of the Statutes of 2006.

Further information concerning the draft Regulation may be obtained by contacting Véronique Dubois, Secretary of the Régie de l’énergie, 800, place Victoria, bureau 2.55, Montréal (Québec) H4Z 1A2; telephone: 1 800 873-2452; fax: 514 873-2070; e-mail: secretariat@regie-energie.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Secretary of the Régie de l'énergie. The comments will be examined by the Régie and sent to the Minister of Natural Resources and Wildlife who is responsible for the administration of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01).

CLAUDE BÉCHARD,
Minister of Natural Resources
and Wildlife

Regulation respecting the annual duty payable to the Green Fund

An Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01, ss. 85.36 and 114, 1st par., subpar. 9; 2006, c. 46, ss. 48 and 51)

1. The annual duty payable to the Green Fund by a distributor under Chapter VI.3 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01) is the amount obtained by multiplying the applicable rate by the quantity of carbon dioxide (CO₂) emissions that is attributable to the distributor.

2. The applicable rate, in dollars per tonne of CO₂ emissions, is determined each year by dividing the annual financial investment in the Green Fund by the total quantity of CO₂ emissions as determined under section 4.

3. The annual financial investment in the Green Fund is obtained by dividing the overall financial investment set by the Government under section 85.35 of the Act by the number of 12-months periods within the period determined by the Government.

4. The quantity of CO₂ emissions attributable to a distributor is the product obtained by multiplying the CO₂ emission coefficients, listed in the Schedule, by the respective volumes of natural gas, gasoline, diesel fuel, light heating oil, heavy heating oil, propane and petroleum coke or by the respective mass of the various varieties of coal that is attributable to the distributor. Volume and mass are determined by the Régie on the basis of the distributor's annual statement for the preceding fiscal year, filed pursuant to section 85.37 of the Act.

The total quantity of CO₂ emissions is the sum of the CO₂ emissions calculated under the preceding paragraph for all the distributors.

Volumes of fuel that a distributor exchanged or sold to another distributor required to pay the duty are not attributable to the former distributor.

5. The annual duty is payable to the Minister of Sustainable Development, Environment and Parks in four (4) equal instalments on 1 October, 1 January, 1 April and 1 July.

The first instalment of the annual duty is payable on (insert the date of the first day of the quarter that occurs after the coming into force of this Regulation).

6. Any balance unpaid on the due date bears interest at the rate set under section 28 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31). Interest is capitalized monthly.

In addition to the interest payable, a penalty of 15% is added to any amount owing if the delay in payment exceeds 60 days.

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

SCHEDULE

Product	Use	CO ₂ emission coefficient
Natural gas	All uses.	1,891 g/m ³
Gasoline	Reference: gasoline vehicle. Coefficient applicable to all types of gasoline.	2,360 g/l
Diesel	Reference: diesel motor vehicle. Coefficient applicable to all types of diesel fuel.	2,730 g/l
Light heating oil	All uses, including production of electricity using light heating oil. Coefficient applicable to types #0, #1 and #2 heating oil.	2,830 g/l
Heavy heating oil	All uses, including production of electricity using heavy heating oil. Coefficient applicable to types #4, #5 and #6 heating oil.	3,090 g/l
Propane	All uses.	1,500 g/l

Product	Use	CO ₂ emission coefficient
Petroleum coke	All uses.	4,200 g/l
Anthracite coal	All uses.	2,390 g/kg
Canadian bituminous coal	All uses.	2,249 g/kg
American bituminous coal	All uses.	2,343 g/kg

For the purposes of this Regulation, the “**CO₂ emission coefficient**” is the mass in grams (g) of carbon dioxide (CO₂) generated by the combustion of one unit of natural gas or fuel per cubic metre (m³), per litre (l) or per unit of coal mass in kilograms (kg).

8151

Draft Regulation

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

Salmon fishing controlled zones — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting salmon fishing controlled zones, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make consequential amendments to reflect the grouping of trapping licences under the name professional trapping licences, as provided for in the draft Regulation to amend the Regulation respecting trapping activities and the fur trade.

To that end, the draft Regulation proposes to replace the reference to a helper by a reference to a professional licence holder who is authorized to trap in the territory.

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

Further information on the draft Regulation may be obtained by contacting Serge Bergeron, Ministère des Ressources naturelles et de la Faune, Direction des territoires fauniques et de la réglementation, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7393; fax: 418 646-5179; e-mail: serge.bergeron@mrnf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 45-day period to Gilles Desaulniers, Acting Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting salmon fishing controlled zones*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, 1st par., subpar. 6 and 2nd par.)

1. Section 16 of the Regulation respecting salmon fishing controlled zones is amended by replacing “his helper” in subparagraph 6 of the second paragraph by “a professional licence holder authorized by the lessee to trap”.

2. This Regulation comes into force on 1 August 2008.

8158

Draft Regulation

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

Scale of fees and duties related to the development of wildlife — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the

* The Regulation respecting salmon fishing controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), was last amended by the regulation made by Order in Council 810-2005 dated 31 August 2005 (2005, *G.O.* 2, 3922). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

scale of fees and duties related to the development of wildlife, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make consequential amendments to reflect the grouping of trapping licences under the name professional trapping licences, as provided for in the draft Regulation to amend the Regulation respecting trapping activities and the fur trade.

The draft Regulation also modifies a reference for the purposes of dues on pelts.

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

Any interested person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 45-day period to Gilles Desaulniers, Acting Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, pars. 10, 10.1 and 21)

1. Section 4 of the Regulation respecting the scale of fees and duties related to the development of wildlife is replaced by the following:

“**4.** The fees payable on the issue of a trapping licence are determined as follows:

- (1) resident professional trapping licence: \$13.65; and
- (2) non-resident professional trapping licence: \$249.65”.

* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908), was last amended by the regulation made by Order in Council 932-2005 dated 12 October 2005 (2005, *G.O.* 2, 4536). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

2. Section 13 is amended by replacing “indicated for the category “hunting” for the most recent season, as published annually by Statistics Canada in “Live Stock Statistics”, Catalogue 23-603” in the first paragraph by “indicated in the Bulletin Fourrure Québec published annually by the Ministère des Ressources naturelles et de la Faune”.

3. Section 14 is amended by replacing paragraph 3 by the following:

“(3) Trapping licences:

- (a) resident professional trapping licence: \$1.60; and
- (b) non-resident professional trapping licence: \$1.60”.

4. This Regulation comes into force on 1 August 2008.

8155

Draft Regulation

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

Trapping activities and fur trade — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting trapping activities and the fur trade, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to

- combine the professional trapping licences for residents and non-residents into one single type of trapping licence;
- abolish the general trapping licence and assistant trapper’s licence;
- provide for the possibility of trapping simultaneously on one or more traplines;
- allow professional trappers to trap on free territory; and
- modify the terms and conditions of transfer of a lease of exclusive trapping rights.

To date, study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses. The proposed amendments will be beneficial for trappers because trapping possibilities will be increased.

Further information on the draft Regulation may be obtained by contacting Serge Bergeron, Ministère des Ressources naturelles et de la Faune, Direction des territoires fauniques et de la réglementation, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7393; fax: 418 646-5179; e-mail: serge.bergeron@mrf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 45-day period to Gilles Desaulniers, Acting Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting trapping activities and the fur trade*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 55, 2nd par., s. 97, par. 2 and s. 162, pars. 9, 14, 16 and 20)

1. The Regulation respecting trapping activities and the fur trade is amended by replacing Divisions I and II of Chapter II by the following:

“DIVISION I TRAPPING LICENCES

3. To trap, a person, resident or non-resident, must hold a professional trapping licence.

To obtain such a licence, a person must, at the time of the application,

(1) provide the person issuing the licence applied for with his or her name, address and date of birth;

(2) in the case of a resident, hold a hunter’s or trapper’s certificate under the Regulation respecting hunting made by Minister’s Order 99021 dated 27 July 1999 certifying that the person is qualified to trap, and provide the certificate number; and

(3) be at least 12 years of age, in the case of a non-resident.

4. A professional trapping licence holder must enter his or her name, address and date of birth on the back of the licence when any of those particulars do not appear on the front of the licence or are inaccurate.

5. Every person under 18 years of age may, to trap, use the licence of a professional trapping licence holder who is at least 18 years of age, provided that the person is accompanied by the holder or the holder’s spouse who must have the licence in his or her possession.

If the spouse is a resident, the spouse must hold a hunter’s or trapper’s certificate bearing code “P” and carry it with him or her.

For the purposes of the first paragraph, each fur-bearing animal captured by a person who is under 18 years of age is counted as a fur-bearing animal captured by the licence holder accompanying that person.

6. The spouse of a professional trapping licence holder or, subject to section 5, their child under 18 years of age or the child under 18 years of age of either spouse, may use the holder’s licence. The spouse or child must have the holder’s licence with them when not accompanied by the holder.

If the spouse or one of the children referred to in the first paragraph is a resident, the spouse or child must hold a hunter’s or trapper’s certificate bearing code “P” and carry it with them.

For the purposes of the first paragraph, each fur-bearing animal captured by the spouse or child referred to in the first paragraph is counted as a fur-bearing animal captured by the licence holder.

7. A student between 18 and 24 years of age attending a secondary or post-secondary level educational institution may use the licence issued to a professional trapping licence holder if the student complies with the standards and conditions provided for in section 6.

* The Regulation respecting trapping activities and the fur trade, made by Order in Council 1027-99 dated 8 September 1999 (1999, G.O. 2, 2915), was last amended by the regulation made by Order in Council 29-2004 dated 14 January 2004 (2004, G.O. 2, 819). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

A student may also trap using the licence of a professional trapping licence holder who is at least 18 years of age, provided that the student is accompanied by that holder or the holder's spouse who must carry with them the professional trapping licence concerned and, in the case of a resident, the hunter's or trapper's certificate bearing code "P".

A student referred to in the first and second paragraphs must, when trapping, carry with him or her the student card issued by the student's educational institution and, in the case of a resident, the hunter's or trapper's certificate bearing code "P", and show them to a wildlife protection officer or wildlife protection assistant if so requested.

8. A person may not hold more than one professional trapping licence, except if it is a licence replaced in accordance with section 10 of the Regulation respecting trapping and the fur trade made by Minister's Order 99026 dated 31 August 1999.

DIVISION II

CONDITIONS AND OBLIGATIONS OF PROFESSIONAL TRAPPING LICENCE HOLDERS

9. A holder of a non-resident's professional trapping licence may trap only

(1) on his or her private land; and

(2) in the territory described in the lease of exclusive trapping rights of the holder of an outfitter's licence or a professional trapping licence.

10. A professional trapping licence holder must, to trap in a territory where exclusive trapping rights have been granted,

(1) have entered into a lease of exclusive trapping rights; and

(2) carry with him or her a document attesting to the authorization obtained under section 96 of the Act when carrying on trapping activities, and show it to a wildlife protection officer or wildlife protection assistant if so requested.

A person who does not hold a professional trapping licence but who is authorized to use such a licence under sections 5 to 7 must also, to trap in a territory where exclusive trapping rights have been granted, carry with him or her a document attesting to the authorization obtained under section 96 of the Act when carrying on trapping activities, and show it to a wildlife protection officer or wildlife protection assistant if so requested.

11. A professional trapping licence holder who captures a black bear must, before moving it, detach the transportation coupon from the trapping licence and attach it to the animal.

If a black bear is captured in a territory under a lease granting exclusive trapping rights, the coupon must originate from the professional trapping licence of the holder of the lease or from the licence of another professional trapping licence holder authorized to trap in that territory under section 10.

In addition, a professional trapping licence holder must ensure that the transportation coupon remains attached until the animal is cut up and, if the fur is intended for dressing, the holder must ensure that the coupon remains attached until the fur is dressed.

12. A professional trapping licence holder must, when trading in undressed furs from hunted or trapped fur-bearing animals referred to in Schedule I with a holder of a fur trade licence provided for in section 18 of the Regulation respecting trapping and the fur trade, declare the number of the FAMU from which the traded fur originates and sign, where applicable, the register referred to in paragraph 1 of section 35."

2. Section 22 is amended by replacing "48 hours" in the first paragraph by "15 days".

3. Section 23 is amended by inserting "for which there is no lessee of exclusive trapping rights," in the part preceding paragraph 1 after "sanctuary,".

4. Section 25 is amended by replacing "on the date of issue of the lease and thereafter on 15 August of each year" by "between 1 September and 1 November of each year".

5. The following is inserted after section 25:

"25.1. During the period of validity of the licence, a professional trapping licence holder who entered into a lease granting exclusive trapping rights must trade with a holder of the fur trade licence provided for in section 18 of the Regulation respecting trapping and the fur trade, at least 15 undressed pelts a year from at least five fur-bearing animal species trapped in the territory described in the lease.

If the area of the territory described in the lease is less than or equal to 20 km², the number of undressed pelts to be traded is reduced to 10 and the pelts must come from at least three fur-bearing animal species trapped in the territory."

6. Sections 30 and 31 are replaced by the following:

“**30.** A lessee of exclusive trapping rights may transfer all the rights and obligations under the lease to a holder of a hunter’s or trapper’s certificate bearing code “P” if the lessee

(1) has sent the Minister an application in writing designating the new lessee, not later than 1 August of the current year, together with, if applicable, a copy of the deed evidencing the transfer of the buildings or structures erected in the territory identified on the lease in favour of the certificate holder;

(2) trapped on the land referred to in the lease during the year preceding the year of the transfer;

(3) has not been convicted of an offence against the Act respecting the conservation and development of wildlife or the regulations thereunder on trapping or the fur trade and has not had the hunter’s or trapper’s certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the two years preceding the date of the application for a transfer;

(4) has not received a notice of revocation of the lease; and

(5) has signed the deed of amendment to the lease of exclusive trapping rights and returned a signed copy to the Minister.

So that a transfer under the first paragraph may be made, the holder of a hunter’s or trapper’s certificate referred to in that paragraph must

(1) not have been convicted of an offence against the Act respecting the conservation and development of wildlife or the regulations thereunder on trapping or the fur trade and not have had the hunter’s or trapper’s certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the two years preceding the date of the application for a transfer;

(2) not exercise collective and exclusive trapping rights in the territories recognized as beaver reserves under the Regulation respecting beaver reserves; and

(3) have signed the deed of amendment to the lease of exclusive trapping rights.

31. A lessee of exclusive trapping rights may transfer all the rights and obligations under the lease to another lessee of exclusive trapping rights provided that the latter lessee also transfers all the rights and obligations under the lease and that both lessees

(1) have sent the Minister an application in writing, not later than 1 August, together with, if applicable, a copy of the deed evidencing the reciprocal transfer of the buildings or structures erected in the territories identified on their respective leases;

(2) trapped on the land referred to in the lease during the year of the transfer;

(3) have not been convicted of an offence against the Act respecting the conservation and development of wildlife or the regulations thereunder on trapping or the fur trade and have not had the hunter’s or trapper’s certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the two years preceding the date of the application for a transfer;

(4) have not received a notice of revocation of their respective leases; and

(5) have signed the deed of amendment to each lease of exclusive trapping rights and returned a signed copy to the Minister.”.

7. Section 40 is amended by replacing “10, 12 to 17, 19 to 22, 25” by “8 to 13, 25, 25.1”.

8. Sections 22 to 43 and section 25.1, introduced by section 5, are renumbered as follows:

- section 22 becomes section 13;
- section 23 becomes section 14;
- section 24 becomes section 15;
- section 25 becomes section 16;
- section 25.1 becomes section 17;
- section 26 becomes section 18;
- section 27 becomes section 19;
- section 28 becomes section 20;
- section 29 becomes section 21;
- section 30 becomes section 22;
- section 31 becomes section 23;
- section 32 becomes section 24;
- section 33 becomes section 25;

- section 34 becomes section 26;
- section 35 becomes section 27;
- section 36 becomes section 28;
- section 37 becomes section 29;
- section 38 becomes section 30;
- section 39 becomes section 31;
- section 40 becomes section 32;
- section 41 becomes section 33;
- section 42 becomes section 34;
- section 43 becomes section 35.

In addition, section 12, introduced by section 1, is amended by replacing “35” by “27”, section 24 is amended by replacing “23” in the second paragraph by “14”, sections 26 and 32 are amended by replacing “27 and 28” by “19 and 20”, section 35 is amended by replacing “36” in subparagraph *c* of the second paragraph by “28”, section 39 is amended by replacing “38” in the second paragraph by “30” and section 40 is amended by replacing “25, 25.1, 27 to 29 and 35 to 39” by “16, 17, 19 to 21 and 27 to 31”.

9. This Regulation comes into force on 1 August 2008.

8154

Draft Regulation

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

Wildlife sanctuaries

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting wildlife sanctuaries, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make consequential amendments to reflect the grouping of trapping licences under the name professional trapping licences, as provided for in the draft Regulation to amend the Regulation respecting trapping activities and the fur trade.

To that end, the draft Regulation proposes to replace, among other things, the reference to an assistant trapper by a reference to a professional licence holder who is authorized to trap in the territory.

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

Further information on the draft Regulation may be obtained by contacting Serge Bergeron, Ministère des Ressources naturelles et de la Faune, Direction des territoires fauniques et de la réglementation, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7393; fax: 418 646-5179; e-mail: serge.bergeron@mrnf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 45-day period to Gilles Desaulniers, Acting Associate Deputy Minister, Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting wildlife sanctuaries*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 121, pars. 1, 2, 4 and 5)

1. Section 4 of the Regulation respecting wildlife sanctuaries is amended by replacing “assistant trapper’s licences who are associated with the professional trapping licence holder” in the second paragraph by “professional trapping licences authorized by the lessee to trap”.

2. Section 17 is amended by replacing “assistant trapper’s licences who are associated with the professional trapping licence holder” in paragraph 2 by “professional trapping licences authorized by the lessee to trap”.

* The Regulation respecting wildlife sanctuaries, made by Order in Council 859-99 dated 28 July 1999 (1999, *G.O.* 2, 2432), was last amended by the regulation made by Order in Council 811-2005 dated 31 August 2005 (2005, *G.O.* 2, 3923). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

3. Section 24 is amended by replacing “the holder of a trapping licence” in the second paragraph by “a professional trapping licence holder”.

4. Section 26 is amended by replacing “an assistant trapper’s licence who is associated with the professional trapping licence holder” in paragraph 4 by “a professional trapping licence authorized by the lessee to trap”.

5. This Regulation comes into force on 1 August 2008.

8156

Draft Regulation

Youth Protection Act
(R.S.Q., c. P-34.1)

Conditions of placement in an intensive supervision unit

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the second paragraph of section 132 of the Youth Protection Act (R.S.Q., c. P-34.1), that the Regulation respecting the conditions of placement in an intensive supervision unit, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation determines the conditions that must be satisfied if the director of an institution or the person the director authorizes decides to place a child in an intensive supervision unit as provided for in the Youth Protection Act.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Line Bérubé, 1075, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1S 2M1; telephone: 418 266-6828; fax: 418 266-6807; e-mail: line.berube@msss.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing before the expiry of the 60-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation respecting the conditions of placement in an intensive supervision unit

Youth Protection Act
(R.S.Q., c. P-34.1, s. 132, 1st par., subpar. k; 2006, c. 34, s. 70)

1. The decision of the executive director of an institution or the person the executive director authorizes in writing concerning placement in an intensive supervision unit must be based on an assessment of the child’s behaviour that shows a serious risk that the child represents a danger to himself or herself or to others.

The assessment must be made with recognized clinical tools and consider

(1) the gravity, intensity, level of dangerousness and recurrence of the child’s behaviour;

(2) the characteristics of the child’s dynamics; and

(3) the overall progress of the rehabilitation process, the alternatives considered and the child’s background.

2. A child placed in an intensive supervision unit must receive sustained and personalized clinical support in addition to rehabilitation services and activities including schooling.

The intervention plan developed for the child must take the situation into account.

3. The executive director of the institution or the person the executive director authorizes in writing must review the child’s situation as soon as the child’s clinical situation so requires to ensure that the placement in the intensive supervision unit is still warranted.

The child cannot be maintained in the intensive supervision unit for a period exceeding one month without the advisability of doing so being reassessed.

4. The board of directors of every institution operating a rehabilitation centre must adopt a protocol for placement in an intensive supervision unit in its facilities in accordance with this Regulation.

The protocol must contain

(1) a statement of the legal framework;

(2) the guidelines and clinical and administrative processes; and

(3) the required and recognized clinical tools.

5. The child and the child's parents must be informed of the remedies available before the tribunal in relation to the decision regarding the placement.

6. The executive director of the institution or the person the executive director authorizes in writing must report to the board of directors every three months, or at the request of the board of directors, on the situations in which the executive director authorized placement in an intensive supervision unit.

7. Unless authorized by the director of youth protection, no child under 14 years of age may be placed in an intensive supervision unit.

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

Erratum

M.O., 2007

Order number AM 2007-014 of the Minister of Natural Resources and Wildlife dated 28 April 2007

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

CONCERNING the Regulation to amend the Regulation
respecting trapping and the fur trade

Gazette officielle du Québec, Part 2, June 6, 2007,
Vol. 139, No. 23, page 1480.

On page 1480, the date of the Minister's Order should
read "28 May 2007" instead of "28 April 2007".

8163

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

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College education (General and Vocational Colleges Act, R.S.Q., c. C-29)	1558	Draft
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Parental insurance (An Act respecting parental insurance, R.S.Q., c. A-29.011)	1560	Draft
Parental insurance, An Act respecting... — Parental insurance (R.S.Q., c. A-29.011)	1560	Draft
Prescription drug insurance, An Act respecting... — Benefits authorized for pharmacists (R.S.Q., c. A-29.01)	1555	Draft

Prescription drug insurance, An Act respecting... — Conditions on which manufacturers and wholesalers of medications are recognized (R.S.Q., c. A-29.01)	1556	Draft
Régie de l'énergie, An Act respecting the... — Annual duty payable to the Green Fund (R.S.Q., c. R-6.01)	1562	Draft
Salmon fishing controlled zones (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1564	Draft
Scale of fees and duties related to the development of wildlife (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1564	Draft
Trapping activities and fur trade (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1565	Draft
Trapping and fur trade (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1573	Erratum
Wildlife sanctuaries (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1569	Draft
Youth Protection Act — Conditions of placement in an intensive supervision unit (R.S.Q., c. P-34.1)	1570	Draft
Youth Protection and other legislative provisions, An Act to amend the... — Coming into force of certain provisions (2006, c. 34)	1553	