

Gazette
officielle

^{DU}
Québec

Part

2

No. 43

24 October 2007

Laws and Regulations

Volume 139

Summary

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

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2007

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Regulations and other acts

877-2007	Amendment to Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006	2877
881-2007	Correction to the English text of the Regulation to amend the Basic school regulation for preschool, elementary and secondary education made on 22 August 2007	2877
889-2007	Signing of certain deeds, documents or writings of the Régie du bâtiment du Québec	2878
899-2007	Youth Protection Act — Conditions of placement in an intensive supervision unit	2879
	Commission d'accès à l'information — Internal Management Rules	2880

Draft Regulations

Commercial aquaculture		2883
Distribution of financial products and services, An Act respecting the... — Dues, contributions and fees payable		2891
Forest royalties		2892
Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies		2898
Veterinary Surgeons Act — Pharmacy Act — Terms and conditions for the sale of medications		2899

Decisions

Chief Electoral Officer — Decision pursuant to the powers conferred upon him by section 30.8 of the School Elections Act, concerning the identification of electors on polling day		2901
--	--	------

Transport

885-2007	Management of the road linking the Oujé-Bougoumou native community to Route 113 and exemption from the application of certain provisions of the Highway Safety Code on that road	2903
----------	--	------

Regulations and other acts

Gouvernement du Québec

O.C. 877-2007, 10 October 2007

An Act respecting the Agence nationale d'encadrement du secteur financier
(R.S.Q., c. A-7.03)

Amendment to Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006

WHEREAS Order in Council 45-2004 dated 21 January 2004 fixed 1 January 2005 as the date of coming into force of sections 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727, 728 and 729 of the Act respecting the Agence nationale d'encadrement du secteur financier (R.S.Q., c. A-7.03), which became the Act respecting the Autorité des marchés financiers (R.S.Q., c. A-33.2) following the amendment made by paragraph 2 of section 90 of the Act to amend the Securities Act and other legislative provisions (2004, c. 37);

WHEREAS Order in Council 45-2004 dated 21 January 2004 was amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006 to postpone the coming into force of those sections to 1 January 2008;

WHEREAS it is expedient to further postpone the date of coming into force of those sections to 1 January 2009;

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

THAT "1 January 2008" in the last paragraph of the operative part of Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006, be replaced by "1 January 2009".

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8346

Gouvernement du Québec

O.C. 881-2007, 10 October 2007

Education Act
(R.S.Q., c. I-13.3)

Correction to the English text of the Regulation to amend the Basic school regulation for preschool, elementary and secondary education made on 22 August 2007

WHEREAS, by Order in Council 699-2007 dated 22 August 2007, the Government made the Regulation to amend the Basic school regulation for preschool, elementary and secondary education;

WHEREAS the English text of section 2 of the Regulation is not fully consistent with the French text of that section;

WHEREAS it is expedient to correct the English text of that section to ensure consistency between the French and English texts;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the English text of the Regulation to amend the Basic school regulation for preschool, elementary and secondary education, made by Order in Council 699-2007 dated 22 August 2007, be amended by replacing section 2 by the following:

2. The following is inserted after section 13:

"**13.1.** For elementary education, the school principal may, exceptionally, in a student's interest, allow the student to remain for a second year in the same class if it is evident from the student's individualized education plan that such a measure is, among possible measures, a measure more likely to facilitate the student's academic progress.

The measure, which may be used only once during elementary education, must not result in the student being promoted to secondary school after more than 6 years of elementary school studies, subject to the power of the principal, at the end of that period, to admit the student to an additional year of elementary school studies in accordance with the law. ”.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8350

Gouvernement du Québec

O.C. 889-2007, 10 October 2007

Building Act
(R.S.Q., c. B-1.1)

Régie du bâtiment du Québec
— **Signing of certain deeds, documents or writings**

Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec

WHEREAS, under the first paragraph of section 141 of the Building Act (R.S.Q., c. B-1.1), no deed, document or writing shall bind the Régie du bâtiment du Québec (the Board) nor be attributed to it unless signed by the chair of the board of directors, the president and chief executive officer, a vice-president, the secretary or a staff member and, if by a staff member, only to such extent as the Board may by regulation determine;

WHEREAS, under section 142 of the Building Act, the Board may, by regulation and subject to specified conditions, allow a signature to be affixed by means of an automatic device, an electronic signature to be affixed, or a facsimile of a signature to be engraved, lithographed or printed on specified documents;

WHEREAS, at the meeting of its board of directors held on 30 May 2007, the Board made the Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec that is to replace the Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec approved by Order in Council 89-94 dated 10 January 1994;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec, attached hereto, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec

Building Act
(R.S.Q., c. B-1.1, ss. 141 and 142)

1. A staff member of the Régie du bâtiment du Québec who holds a position mentioned in this Regulation on a permanent, provisional or interim basis is authorized to sign, alone and with the same authority as the chair of the board of directors, the president and chief executive officer, a vice-president or the secretary of the Board, the deeds, documents or writings listed below, in respect of the position.

2. The senior director of planning and standardization is authorized to sign, for the branch for which the director is responsible and for all the Board's activities, supply contracts, services contracts, construction contracts and leases.

3. Every director is authorized to sign, for the branch for which the director is responsible,

(1) supply contracts, up to \$10,000;

(2) services contracts, up to \$100,000, except those pertaining to information technologies and administrative services contracts with a department or government body.

4. The director of modernization and management services is authorized to sign, for all the Board's activities, services contracts pertaining to information technologies and administrative services contracts with a department or government body, up to \$100,000.

5. The director of communications is authorized to sign, for all the Board's activities pertaining to communications,

(1) supply contracts, up to \$10,000;

(2) services contracts, up to \$100,000, except those pertaining to information technologies and administrative services contracts with a department or government body.

6. A service head is authorized to sign, for the service for which the service head is responsible,

(1) supply contracts, up to \$5,000;

(2) services contracts, up to \$25,000, except those pertaining to information technologies and administrative services contracts with a department or government body.

7. A team head is authorized to sign, for the team head's sector of activity,

(1) supply contracts, up to \$2,000;

(2) services contracts, up to \$10,000, except those pertaining to information technologies and administrative services contracts with a department or government body.

8. An administrative assistant is authorized to sign supply contracts up to \$1,000 in the performance of the administrative assistant's mandate.

9. A staff member of the Board who holds a credit card on behalf of the Board is authorized to sign, in the performance of the member's mandate, the documents concerning the acquisition of eligible goods or services within the meaning of the agreement entered into with the credit card issuer, up to the maximum amount authorized for each transaction.

10. In addition to the chair of the board of directors, the president and chief executive officer, a vice-president and the secretary, a director is authorized to certify as true, for the Board, any document or copy of a document issued by the Board or forming part of its archives, including a decision, licence, permit or the transcription of data stored for the Board on any information technology medium.

11. The signature of the president and chief executive officer, a vice-president or the secretary may be affixed by means of an automatic device. A facsimile of such a signature may be engraved, lithographed or printed on any document referred to in the Building Act.

12. This Regulation replaces the Regulation respecting the signing of certain deeds, documents or writings of the Régie du bâtiment du Québec approved by Order in Council 89-94 dated 10 January 1994.

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

8349

Gouvernement du Québec

O.C. 899-2007, 17 October 2007

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

Conditions of placement in an intensive supervision unit

Regulation respecting the conditions of placement in an intensive supervision unit

WHEREAS, under subparagraph *k* of the first paragraph of section 132 of the Youth Protection Act (R.S.Q., c. P-34.1), enacted by chapter 34 of the Statutes of 2006, the Government may make regulations to determine the conditions in accordance with which a placement in an intensive supervision unit must be made;

WHEREAS, 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, a draft of the Regulation respecting the conditions of placement in an intensive supervision unit was published in Part 2 of the *Gazette officielle du Québec* of 20 June 2007 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS the 60-day period has expired;

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 of placement in an intensive supervision unit, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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 in writing and give reasons. The decision must be based on an assessment of the child 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 child's characteristics;
- (3) the child's background and the overall progress of the rehabilitation process; and
- (4) the analysis of alternatives to such a placement.

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, including the intensive supervision program orientation profile.

The executive director of the institution or the person the executive director authorizes must ensure that the protocol is complied with.

5. The child and the child's parents must be informed of the reasons justifying the decision to place the child in an intensive supervision unit and the available remedies, including before the tribunal, in relation to that decision.

6. The executive director of the institution or the person the executive director authorizes in writing must report to the board of directors every six 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*.

8353

Notice

An Act respecting Access to documents held by public bodies and the Protection of personal information
(R.S.Q., c. A-2.1)

Commission d'accès à l'information — Internal Management Rules

Please take note that under section 110.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information, la Commission d'accès à l'information adopted the Internal Management Rules of the Commission d'accès à l'information at its meeting held on 13 June 2007.

JACQUES SAINT-LAURENT,
Chair

Internal Management Rules of the Commission d'accès à l'information

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1, s. 110.1)

DIVISION I PURPOSE

1. These Rules govern the operation of the Commission d'accès à l'information. They set out the procedure governing meetings of the Commission and the duties and responsibilities of its members.

DIVISION II THE COMMISSION

2. The Commission is composed of a chair, a vice-chair and members. The Commission consists of two divisions: the oversight division and the adjudicative division.

The National Assembly resolution appointing the members, other than the chair and vice-chair, states the division to which the members are assigned and their term of office.

Meetings of the Commission

3. The secretary calls meetings of the Commission at the request of the chair. Meetings are held at the Commission's head office or at any other place in Québec set out in the notice of meeting.

Meetings may be adjourned by the members without a new notice of meeting being necessary.

4. When requested to call a meeting, the secretary sends a notice, together with an agenda, the minutes of the last meeting and all relevant documents, to the chair, vice-chair, members and any other person whose presence is required at the meeting, at least 5 days before the meeting.

Notice of a special meeting may be given 6 hours before the special meeting by telephone, fax, or any other information technology medium.

A member may waive the notice of meeting in writing. Attendance of a member at a meeting constitutes that member's waiver of the notice of meeting.

The formalities for the calling of a meeting may be waived by the written consent of all members.

5. Members may participate in meetings through the use of information technology, including by telephone.

6. The chair conducts meetings and decides the procedure to be followed.

7. A majority of the members constitutes a quorum at meetings of the Commission.

8. Decisions of the Commission are made by a majority of the members present.

A vote must be held if requested by a member.

Voting is conducted orally, in writing or through the use of information technology.

9. The chair's declaration that a decision has been made unanimously or by a majority is entered in the minutes of the meeting.

Oversight division

10. The function of the oversight division is to oversee the carrying out of the laws under the Commission's jurisdiction and to ensure compliance with and promotion of access to documents and the protection of personal information.

11. Before making a decision, the oversight division must give the persons involved an opportunity to make submissions.

12. Decisions of the oversight division are made in writing.

Adjudicative division

13. The function of the adjudicative division is to decide applications for review made under the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1) and applications for examination of disagreements made under the Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1).

14. Members of the adjudicative division perform their duties and functions on the dates and at the places determined by the chair.

The chair

15. For the purposes of the administration of the Commission, the chair manages its personnel and performs all the duties and functions inherent in the office of chair and assigned to the chair by law, including

- (1) establishing and implementing the strategic plan;
- (2) managing the Commission's human, financial, material and information resources; and
- (3) delegating powers and temporarily assigning a commissioner to another division, which must be in writing.

16. The chair, or the person designated by the chair, acts as spokesperson for the Commission.

The vice-chair

17. The vice-chair performs all the duties and functions assigned by the chair and replaces the chair if the chair is absent or unable to act or if the office of chair is vacant.

The secretary

18. The secretary of the Commission performs all the duties and functions assigned by the chair, which include

- (1) drafting the minutes of meetings of the Commission;
- (2) communicating the decisions of the Commission; and
- (3) archiving the Commission's records.

19. These Rules come into force on the fifteenth day following their publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

An Act respecting commercial aquaculture
(R.S.Q., c. A-20.2)

Commercial aquaculture

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

The draft Regulation determines the subclasses of aquaculture and fishing pond licences and the information necessary for the issue, renewal, amendment and transfer of a licence, and fixes the administrative charges and related fees.

The draft Regulation also determines the information that must be entered in the books and registers and the information that must be sent to the Minister on an annual basis.

The draft Regulation establishes the operation standards that licence holders must comply with in the course of their activities.

To date, study of the matter has revealed no significant impact on enterprises.

Further information may be obtained by contacting Paul Morin, Director, Direction de l'aquaculture et du développement durable, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100, extension 3146; fax: 418 380-2182.

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 Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

LAURENT LESSARD,
Minister of Agriculture, Fisheries and Food

Commercial Aquaculture Regulation

An Act respecting commercial aquaculture
(R.S.Q., c. A-20.2, s. 42, pars. 1 to 10)

CHAPTER I LICENCES

DIVISION 1 LICENCE SUBCLASSES

1. The subclasses of aquaculture licences issued by the Minister of Agriculture, Fisheries and Food are

- (1) land-based; and
- (2) aquatic.

A land-based aquaculture licence authorizes the carrying on of aquaculture in an artificial cultivation or raising unit, such as a basin or an artificial lake.

An aquatic aquaculture licence authorizes the carrying on of aquaculture in a natural lake or watercourse, or offshore.

2. The subclasses of fishing pond licences issued by the Minister are

- (1) permanent;
- (2) temporary; and
- (3) mobile.

A permanent fishing pond licence authorizes the regular operation of a fishing pond having a basin that cannot be moved.

A temporary fishing pond licence authorizes the operation, for less than 21 consecutive days, of a fishing pond having a basin that cannot be moved.

A mobile fishing pond licence authorizes the operation, for not more than 12 months, of a fishing pond having a basin capable of being moved from one location to another.

DIVISION 2**LICENCE ISSUANCE**

3. A person applying to the Minister for the issue of a licence must apply in writing and submit

(1) the person's name and address and, in the case of a legal person, a partnership, an association or a body, the name of the representative;

(2) the name under which the undertaking is operated, if different from the name in paragraph 1;

(3) the business number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(4) except in the case of an application for a mobile fishing pond licence, the address of the proposed site of operations;

(5) the person's telephone number and fax number, if any; and

(6) the class and subclass of the licence applied for.

The application must be signed by the person concerned or the person's representative.

4. In addition to the conditions required by the Act respecting commercial aquaculture (R.S.Q., c. A-20.2), a person applying for a licence must submit with the application

(1) a summary of the project for which the licence is applied for, containing the information in section 5;

(2) a layout plan meeting the construction, layout and equipment standards set out in this Regulation and containing the information in section 6;

(3) in the case of an application for a land-based aquaculture licence or a permanent or temporary fishing pond licence, a copy of the person's title of ownership, lease or any other document granting or promising a right of occupancy, conditional on the issue of the licence;

(4) a certificate from the municipality attesting that the project complies with municipal by-laws; and

(5) the fees and charges payable under Chapter II.

5. The project summary required under paragraph 1 of section 4 must specify

(1) the species that will be cultivated, raised or kept in captivity and, where applicable, the part of the life cycle involved;

(2) the cultivation or raising method;

(3) for an aquaculture licence application, the duration of a production cycle;

(4) for an aquaculture licence application for an aquaculture site in the domain of the State, the proposed maximum production volume of aquatic organisms and an estimate of the time required to attain that volume; and

(5) for a fishing pond licence application, the proposed volume of fish to be kept in captivity.

6. The layout plan required under paragraph 2 of section 4 must include a sketch of the facilities and indicate,

(1) for land-based aquaculture licence and permanent or temporary fishing pond licence applications,

(a) the location and dimensions of the proposed aquaculture site or fishing pond and, in the case of an aquaculture site, of each of its cultivation or raising units;

(b) the water supply sources and their flow rates at the lowest water level;

(c) the water processing equipment and other facilities that will be necessary for the proposed maximum production volume or the proposed volume of fish to be kept in captivity; and

(d) a sketch showing the flow of water in the facilities from the supply sources to the receiving environment;

(2) for an aquatic aquaculture licence application,

(a) the geographic coordinates, the area and depth of the proposed aquaculture site and its location on a nautical chart;

(b) the equipment and facilities that will be immersed until the proposed maximum production volume is reached, their number, dimensions, location and the immersion schedule; and

(c) the annual schedule of the seasonal adjustments of the equipment and facilities, including when they are placed into and removed from the water; and

(3) for a mobile fishing pond licence application,

(a) the dimensions of the basin forming the fishing pond;

(b) the places where and dates on which the basin will be installed and removed that are known at the time of the application;

(c) where applicable, the water processing equipment; and

(d) where applicable, the place where the fish are kept in captivity while the mobile fishing pond is not in operation.

DIVISION 3 LICENCE RENEWAL

7. A licence holder applying to the Minister for renewal of the licence must apply in writing and submit

- (1) the information required by section 3;
- (2) the project summary referred to in section 5;
- (3) the layout plan described in section 6; and
- (4) the fees payable under Chapter II.

An application for renewal and the fees must be received by the Minister before the licence expires.

DIVISION 4 LICENCE AMENDMENT

8. A licence holder applying to the Minister for a licence amendment must apply in writing and submit

- (1) a description of the modification for which the licence amendment is applied for;
- (2) the consequences of the modification on authorized activities and the proposed maximum production volume or proposed volume of fish to be kept in captivity; and

(3) if applicable, the modified layout plan.

In the case of a material modification, the licence holder must also submit the fees payable under Chapter II.

“Material modification” means

- (1) a modification to the layout plan;

(2) a modification of the proposed maximum production volume or the proposed volume of fish to be kept in captivity;

(3) an addition of or change in species; or

(4) a change in the cultivation or raising method.

9. A holder of a mobile fishing pond licence proposing to install the basin of the fishing pond in a place and on a date not known at the time of the licence application must inform the Minister in writing of the place where and dates on which the basin will be installed and removed at least two weeks before the basin is installed.

Despite subparagraph 1 of the third paragraph of section 8, the modification is not a material modification.

DIVISION 5 LICENCE TRANSFER

10. A licence holder applying to the Minister for authorization to transfer the licence must apply in writing and submit

(1) a declaration from the transferee containing

(a) the information required by section 3;

(b) the project summary referred to in section 5 that demonstrates the absence of any material modification of the activities, equipment and facilities proposed at the time the licence was issued; and

(c) the fees payable under Chapter II;

(2) a copy of any document attesting to or promising transfer of the ownership of the undertaking, conditional on the transfer of the licence; and

(3) a report on the licence holder’s activities since the end of the period covered by the last annual report, containing the information in section 26.

CHAPTER II ADMINISTRATIVE CHARGES AND FEES

11. The administrative charges payable to open a file at the time of the application for the issue of an aquaculture licence, a permanent fishing pond licence or an authorization to carry out research and experimentation are \$100.

The charges are deductible from the fees for the issue of the licence or authorization.

12. The fees for the issue, renewal or transfer of a licence are

(1) \$250 for an aquaculture licence or a permanent fishing pond licence;

(2) \$50 for a temporary fishing pond licence; and

(3) \$150 for a mobile fishing pond licence, or \$100 if the person also holds an aquaculture licence or a permanent fishing pond licence.

13. The fees for the issue of an authorization to carry out research and experimentation are \$250.

14. The fees for a licence amendment because of a material modification are \$150.

15. The annual fees for an aquaculture licence and a permanent fishing pond licence are \$100.

16. As of (*insert the date of coming into force of this section*), the charges and fees under sections 11 to 15 are adjusted on 1 January of each year based on the percentage change in the general Consumer Price Index for Canada for the 12-month period ending on 30 September of the preceding year. That change is the ratio between the index for the above-mentioned period and the index for the period that precedes it. The index for a period is the average of the monthly indexes published by Statistics Canada. The charges and fees are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister is to publish the results of the adjustment under this section in the *Gazette officielle du Québec* and, if the Minister considers it appropriate, inform the public by any other means.

17. The administrative charges and fees under this Chapter are payable to the Minister of Finance.

CHAPTER III BOOKS, REGISTERS AND OTHER DOCUMENTS

18. A licence holder must enter in the books or registers the information concerning

(1) the aquatic organisms cultivated, raised or kept in captivity, as provided in section 19;

(2) the feeding of the aquatic organisms, as provided in section 20;

(3) the health of the aquatic organisms, as provided in section 21;

(4) the non-prescription products used to treat the aquatic organisms, as provided in section 22; and

(5) the water processing products and the cleaning products for the equipment and facilities in contact with the aquatic organisms, as provided in section 23.

19. The information to be provided under paragraph 1 of section 18 concerning the aquatic organisms cultivated, raised or kept in captivity must be entered for each species according to number or weight and size or age category, and pertains to

(1) all the supplies, stating for each of them

(a) the genetic line or strain;

(b) the name and address of the supplier;

(c) the date of receipt; and

(d) the name and address of the carrier;

(2) the production of seeds, eggs, spats, cuttings, rhizomes, stolons or tubers and the eggs or spats harvested or the number of collectors used for that purpose and the date on which they were put into or removed from the water;

(3) the inventories of the aquatic organisms, including each inventory date;

(4) in the case of an aquaculture licence, the sales, including their date and, for wholesale sales, the name and address of each purchaser, the shipping date and the intended purposes for which the aquatic organisms are to be used;

(5) in the case of a fishing pond licence, the fish caught by fishers on each day of operation; and

(6) any massive loss of the aquatic organisms, including the date and cause of the event and the disposal method and site.

20. The information to be provided under paragraph 2 of section 18 concerning the feeding of the aquatic organisms must be entered by food type, whether as dry or semi-moist food, live products or fertilizers, and pertains to

(1) supplies, including the product name and quantity, the supplier's name and address and the date of receipt; and

(2) in the case of food prepared by the licence holder, the information in paragraph 1 for each ingredient used in the preparation.

21. The information to be provided under paragraph 3 of section 18 concerning the health of the aquatic organisms pertains to

(1) consultations with veterinarians or specialists, including their name and professional address, the date and purpose of the consultation, the diagnostic and, where applicable, the proposed treatment and its duration;

(2) the date of the various analyses and their results and the name and professional address of the persons who made them;

(3) the purchase of prescription products such as drugs, vaccines or medicinal foods, including the product name and quantity, the supplier's name and address and the date of receipt; and

(4) if a treatment is administered, the dates on which it begins and ends, the method of administration and, if a waiting period is required, the daily water temperature of each cultivation or raising unit, or fishing pond basin, containing the treated aquatic organisms.

22. The information to be provided under paragraph 4 of section 18 concerning non-prescription products used to treat aquatic organisms pertains to

(1) supplies, including the product name and quantity, the supplier's name and address and the date of receipt; and

(2) the use of the products, including the date and method of administration and the quantity or concentration used.

23. The information to be provided under paragraph 5 of section 18 concerning the water processing products and the cleaning products for the equipment and facilities in contact with the aquatic organisms is to specify the name of the product used, the date and method of use, and the quantity or concentration used.

24. Despite section 18, a licence holder's invoices, veterinary prescriptions, analysis reports and other supporting documents may stand in lieu of the books or registers if they contain the information required by sections 18 to 23.

25. A licence holder must keep in chronological order the invoices, veterinary prescriptions, analysis reports and other supporting documents throughout the duration of a production cycle, plus three years. The licence holder must also keep, for the same duration as of the last entry, the books, registers and other documents used in the aquaculture activities.

CHAPTER IV ANNUAL REPORT AND OTHER DOCUMENTS

26. Not later than 15 February of each year, holders of an aquaculture licence and a permanent fishing pond licence must provide the Minister with a report on their activities for the preceding calendar year which must include

(1) any change in the information required by section 3;

(2) the inventory of the aquatic organisms cultivated, raised or kept in captivity for each species according to number or weight and size or age category, including

(a) total supplies;

(b) annual production of seeds, eggs, spats, cuttings, rhizomes, stolons or tubers and the total number of eggs or spats harvested;

(c) cumulative losses;

(d) in the case of an aquaculture licence, total sales broken down according to the purposes for which the aquatic organisms are to be used; and

(e) in the case of a fishing pond licence,

i. the total number of fish caught by fishers; and

ii. the quantity of fish disposed of pursuant to the second paragraph of section 40;

(3) the food used by food type, whether as dry or semi-moist food, live products or fertilizers, including product names and total quantities used; and

(4) in the case of a land-based aquaculture licence, measurement of the operation's water flow rate at the inlet of each supply source or at each outlet of the operation at the lowest water level.

The licence holder must submit the annual fees payable under Chapter II with the annual report.

27. Not later than two months after the end of activities, the holder of a temporary or mobile fishing pond licence must provide the Minister with a report containing the information required by the first paragraph of section 26.

CHAPTER V OPERATION STANDARDS

DIVISION 1 CONSTRUCTION, LAYOUT AND EQUIPMENT STANDARDS

28. The equipment and facilities used in the operation of an aquaculture site or fishing pond must be designed so that the premises may be maintained in the clean and safe state required to ensure the aquatic organisms remain healthy and innocuous and to prevent any hazard to the health or safety of the public, the environment and wildlife, and must conform to the following requirements:

(1) the equipment and facilities in contact with the aquatic organisms must be made from non-toxic materials and be installed so as to function according to intended use;

(2) the equipment and facilities must be installed so as to allow cleaning and disinfection of the surfaces in contact with the aquatic organisms;

(3) separate rooms, compartments or containers, closed and protected against any deterioration or contamination, must be used to store

(a) food;

(b) non-prescription products used to treat the aquatic organisms, water processing products and cleaning products;

(c) medications and other prescription products; and

(d) fuels;

(4) in the case of a land-based aquaculture site or fishing pond,

(a) the equipment and facilities must allow solid residual matter from the operation to be retained and removed;

(b) the equipment and facilities must allow the cultivation or raising units or the fishing pond to be fully drained; and

(c) the water supply must be of sufficient quantity and of a quality necessary to provide adequate conditions for the aquatic organisms to be raised or kept in captivity;

(5) in the case of a land-based aquaculture site whose cultivation or raising units are outdoors and in the case of a fishing pond, the perimeter of the units or basin must be laid out so as to prevent any risk of contamination;

(6) in the case of a land-based aquaculture site, foot baths containing an efficient disinfectant and material necessary for washing and disinfecting hands must be installed at the entrance to the site in a place reserved for that purpose;

(7) in the case of an aquatic aquaculture site, the equipment and facilities must be laid out so as to allow direct and safe access to the site;

(8) in the case of a fishing pond, the basin must be built or located away from any lake or watercourse; and

(9) where fish or amphibians are raised or kept in captivity, the equipment and facilities must be designed to ensure they remain confined and to prevent their release into the natural environment.

29. The tanks of vehicles used to transport live aquatic organisms must be designed so that the surfaces in contact with the aquatic organisms may be cleaned and disinfected.

30. A holder of an aquatic aquaculture licence who is not required to install lights, buoys or other marks under the Navigable Waters Works Regulations (C.R.C. c. 1232) is exempt from the application of the second paragraph of section 17 of the Act.

DIVISION 2 STANDARDS FOR CULTIVATION, RAISING AND CAPTIVITY

31. Aquaculture sites and fishing ponds must be operated in such manner that the premises may be maintained in the clean and safe state required to ensure the aquatic organisms remain healthy and innocuous and to prevent any hazard to the health or safety of the public, the environment and wildlife, and must conform to the following requirements:

(1) the equipment and facilities of an aquaculture site and a fishing pond and the tank surfaces of the vehicles in contact with the aquatic organisms must be cleaned before the production, arrival or transportation of a new batch and must be disinfected if there is a risk of contamination;

(2) the equipment and facilities must be kept in good working order;

(3) separate rooms, compartments or containers, closed and protected against any contamination, must be used to store

(a) food not currently being used;

(b) non-prescription products used to treat the aquatic organisms, water processing products and cleaning products;

(c) medications and other prescription products; and

(d) fuels;

(4) the aquatic organisms must be handled in such a way as to prevent any contamination;

(5) the aquaculture site or the fishing pond must be operated in such a way as to ensure the fish and amphibians remain confined and to prevent their release into the natural environment;

(6) the solid residual materials from the operation of a land-based aquaculture site and a fishing pond must be removed from the cultivation or raising units or the fishing pond,

(a) before the production of a new batch in the case of a land-based aquaculture site; and

(b) at least once a year in the case of a fishing pond;

(7) in the case of a land-based aquaculture site, the foot baths installed at the entrance to the site must be maintained and the disinfectant they contain must be kept efficient;

(8) in the case of a land-based aquaculture site whose cultivation or raising units are outdoors and in the case of a fishing pond, the perimeter of the units or basin must be kept clean and free of any debris or rubbish; and

(9) in the case of a land-based aquaculture site whose cultivation or raising units are indoors, the inside of the building must be kept clean and free from any debris or rubbish.

32. In the course of aquaculture activities, a licence holder may only use cleaners, disinfectants or pesticides that meet the standards prescribed by the Food and Drugs Act (R.S.C. 1985, c. F-27) or the Pest Control Products Act (S.C. 2002, c. 28), or that are entered on the Reference Listing of Accepted Construction Materials, Packaging Materials and Non-Food Chemical Products published by the Canadian Food Inspection Agency, accessible at <http://www.inspection.gc.ca>

33. A licence holder who raises fish or amphibians or keeps them in captivity must immediately inform the Minister of any accidental release and take all necessary measures to recover the fish or amphibians.

34. A licence holder who becomes aware that there has been a massive loss of the aquatic organisms must immediately inform the Minister and give the cause of the loss.

35. Subject to an order issued under Chapter II of the Plant Protection Act (R.S.Q., c. P-39.01) or Division I of the Animal Health Protection Act (R.S.Q., c. P-42), a licence holder who becomes aware that the aquatic organisms are unfit for consumption or that their safety is not assured must dispose of the aquatic organisms by

(1) landfilling or incineration facility that complies with the Environment Quality Act (R.S.Q., c. Q-2);

(2) recovery of the aquatic organisms by the holder of a permit to operate a dismembering or salvage plant issued under subparagraph *c* or *d* of the first paragraph of section 9 of the Food Products Act (R.S.Q., c. P-29) or by a waste removal undertaking;

(3) composting in accordance with the Environment Quality Act; or

(4) processing into a product referred to in paragraph 5 of section 9.3.1.14 or 10.3.1.18 of the Regulation respecting food (R.R.Q., 1981, c. P-29, r.1) in an establishment holding a permit to operate a marine or fresh water product processing factory or packing-house issued under subparagraph *e* or *f* of the first paragraph of section 9 of the Food Products Act.

Despite the first paragraph, the licence holder may store the aquatic organisms prior to their disposal if they are stored in accordance with the Environment Quality Act.

36. An aquaculture licence holder must carry on the activities only within the limits of the aquaculture site indicated on the licence.

37. An aquatic aquaculture licence holder who performs operations in the aquaculture site to control pests and invasive or predatory species must do so in a way that does not interfere with surrounding activities.

38. The holder of an aquaculture licence for an aquaculture site in the waters in the domain of the State who is the sub-lessee of a lease for aquaculture purposes issued under the Watercourses Act (R.S.Q., c. R-13) is exempt from the application of section 19 of the Act.

39. All persons must, on entering a land-based aquaculture site, use the foot baths and wash and disinfect their hands.

40. A holder of a fishing pond licence may not keep fish in captivity for purposes other than recreational fishing.

Despite the first paragraph, if there is an exceptional surplus of fish at the time the pond is closed for winter or within 15 days preceding the expiry of the licence, the holder of a permanent fishing pond licence may, after informing the Minister, sell the remaining fish either live or dead. The holder of a temporary or mobile fishing pond licence may, on ceasing activities, sell or give the live remaining fish to the holder of an aquaculture licence or a permanent fishing pond licence.

CHAPTER VI DEVELOPMENT AND YIELD STANDARDS

41. Subject to a licence amendment or unforeseeable or uncontrollable circumstances, the holder of an aquaculture licence for an aquaculture site in the domain of the State must occupy and operate the aquaculture site in a continuous and increased manner until the proposed maximum production volume is attained, as provided in the licence holder's project summary referred to in section 5, and thereafter maintain that occupancy and operation level for the entire duration of the licence.

CHAPTER VII AMENDING PROVISIONS

42. Divisions 1 to 4.1 and 6 to 8 of the Commercial Aquaculture Regulation¹, comprising sections 1 to 13.4 and 15 to 18, are revoked.

43. The Regulation respecting the registration of agricultural operations and the reimbursement of real estate taxes and compensations² is amended by replacing "aquiculture" in the French text of paragraph 6 of the definition of "produit agricole" in section 1 by "aquaculture".

44. The Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation³ is amended by replacing "aquiculture" in paragraph 2 of section 4 by "aquaculture".

45. The Règlement sur la définition d'un produit agricole (R.R.Q., 1981, c. P-28, r.3) is revoked.

46. The Regulation respecting the alienation and leasing of agricultural lands in the domain of the State⁴ is amended

(1) by replacing "AQUICULTURE" and "aquiculture" in the French text of the heading of Division V and sections 14, 17 and 21 by "AQUACULTURE" and "aquaculture";

(2) by replacing, in section 13,

(a) "aquicole" by "aquacole" in the French text;

¹ The Commercial Aquaculture Regulation, made by Order in Council 1311-87 dated 26 August 1987 (1987, *G.O.* 2, 3368), was amended by the regulation made by Order in Council 1439-98 dated 27 November 1998 (1998, *G.O.* 2, 4607).

² The Regulation respecting the registration of agricultural operations and the reimbursement of real estate taxes and compensations, made by Order in Council 340-97 dated 19 March 1997 (1997, *G.O.* 2, 1275), was amended by the regulation made by Order in Council 229-2000 dated 8 March 2000 (2000, *G.O.* 2, 1337).

³ The Regulation respecting the signing of certain permits of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, made by Order in Council 1541-95 dated 29 November 1995 (1995, *G.O.* 2, 3425), was amended by the regulation made by Order in Council 621-96 dated 29 May 1996 (1996, *G.O.* 2, 2637).

⁴ The Regulation respecting the alienation and leasing of agricultural lands in the domain of the State, made by Order in Council 4-90 dated 10 January 1990 (1990, *G.O.* 2, 53), was amended by the regulation made by Order in Council 1180-94 dated 3 August 1994 (1994, *G.O.* 2, 3765) and by section 85 of chapter 26 of the Statutes of 1996.

(b) “12 of the Act respecting commercial fisheries and aquaculture (R.S.Q., c. P-9.01)” by “5 of the Act respecting commercial aquaculture (R.S.Q., c. A-20.2)”;

(3) by replacing “aquicoles” and “aquicole” in the French text of the first paragraph of section 14, section 15 and the first paragraph of section 18 by “aquacoles” and “aquacole”.

CHAPTER VIII TRANSITIONAL AND MISCELLANEOUS

47. Land-based aquaculture sites and fishing ponds operated by holders of an aquaculture or fishing pond licence on (*insert the date preceding the date of the coming into force of this Regulation*) are exempt from the application of paragraphs 4 and 8 of section 28 and paragraph 6 of section 31 as regards the infrastructures, equipment and facilities built and used on that date.

Despite the foregoing, that exemption no longer applies to land-based aquaculture sites and fishing ponds if they cease to be operated permanently or for more than 12 consecutive months.

48. A member of the personnel of the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation or a position holder in that department is exempt from the application of sections 22 and 23 of the Act for the carrying out, in the performance of their duties, of research and experimentation activities in aquaculture in the waters in the domain of the State.

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

8344

Draft Regulation

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Dues, contributions and fees payable — 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 dues, contributions and fees payable, the text of which

appears below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to modify the contribution payable to the Fonds d’indemnisation des services financiers (“the Fund”).

In the wake of recent financial scandals, notably that of Norbourg, the Fund’s deficit further increased because of the substantial increase in the indemnities to be paid. Under current legislation, the Authority is to determine a contribution to the Fund that will make up any insufficiency over a maximum period of five years. To cover the insufficiency in assets, an increase in the amount of the contribution is necessary.

Considering the risk history of each sector, two contribution levels are established: \$100 for each of the claims adjustment, group insurance of persons, financial planning, scholarship plan brokerage and investment contract brokerage sectors, and \$160 for each of the insurance of persons, damage insurance and group savings plan brokerage sectors. The contributions are increased for each sector except the claims adjustment sector for which the contribution has been lowered.

In view of the fact that the Norbourg case is associated with the group savings plan brokerage sector, the draft Regulation proposes to have that sector assume almost all of the cost of that exceptional case through an increased contribution of \$260 for the four-year period from 2008 to 2011.

The draft Regulation also proposes to maintain the discounts on contributions payable for representatives operating in more than one sector, although rather than being calculating using a percentage, the discounts will be set at \$75 per additional sector.

The draft Regulation proposes to revoke sections 24 and 25 which were transitional law provisions that applied to the 1999 to 2006 years.

The amendments proposed will have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Normand Côté, Director of Indemnization, Autorité des marchés financiers, Place de la Cité, tour Cominar, 2640, boulevard Laurier, bureau 400, Québec (Québec) G1V 5C1; telephone: 418 525-0558, extension 4151 or 1 877 525-0337; fax: 418 525-9512; e-mail: normand.cote@lautorite.qc.ca.

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

MONIQUE JÉRÔME-FORGET,
Minister of Finance

Regulation to amend the Regulation respecting the dues, contributions and fees payable*

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2, s. 278)

1. The Regulation respecting the dues, contributions and fees payable is amended in section 3.1

(1) by replacing subparagraphs 1 and 2 of the first paragraph by the following:

“(1) \$160 for each of the damage insurance, the insurance of persons and the group savings plan brokerage sectors; and

(2) \$100 for the other sectors.”;

(2) by replacing the second and third paragraphs by the following:

“If a representative operates in more than one sector, the contribution is discounted by \$75 for each additional sector.

Despite the foregoing, the contribution for 2008 to 2011 is \$260 per representative for the group savings plan brokerage sector.”.

2. Sections 24 and 25 are revoked.

3. This Regulation comes into force on 1 January 2008.

8351

* The Regulation respecting the dues, contributions and fees payable, approved by Order in Council 836-99 dated 7 July 1999 (1999, *G.O.* 2, 2102), was last amended by the regulation approved by Order in Council 1185-2005 dated 7 December 2005 (2005, *G.O.* 2, 5161). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Forest royalties — 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 forest royalties, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation will relax administrative procedures, in particular for enterprises supplied from forests in the domain of the State. The draft Regulation will have no negative impact on enterprises, including small and medium-sized businesses.

For that purpose, the draft Regulation proposes to modify the timber tariffing zones. The new zones will be delimited by the boundaries of the new forest management units that will be effective as of April 2008. Under the draft Regulation, it will no longer be necessary to file an audited financial report or vouchers in order to obtain silvicultural credits. A list of expenses for the costs of silvicultural treatments and other activities to protect or develop forest resources, duly approved by an accountant who is a member of a professional order, will be sufficient. The draft Regulation proposes a new unit rate of \$200 per green metric ton for the harvest of Canadian yew and permits the unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants to be published in Part 1 of the *Gazette officielle du Québec* or publicized by any other means.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Adam, Direction des orientations budgétaires, économiques et financières, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8650, extension 4375; fax: 418 646-9245; e-mail: jean-pierre.adam@mrf.gouv.qc.ca.

Any interested person wishing to comment on the draft Regulation may submit written comments to Paule Têtu, Associate Deputy Minister for Forêt Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4, within the 45-day period.

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting forest royalties *

Forest Act

(R.S.Q., c. F-4.1, s. 172, 1st par., subpars. 1, 2, 3 and 9)

1. Section 1 of the Regulation respecting forest royalties is amended by replacing “One hundred and sixty-one” in the first paragraph by “One hundred and eighty-seven”.

2. Section 2 is amended by adding the following sentence at the end of the second paragraph: “The Minister of Natural Resources and Wildlife shall publish the reference unit rates for the stumpage value of standing timber in Part 1 of the *Gazette officielle du Québec* and may also ensure wider publicity by any other means.”.

3. Section 3 is amended

(1) by replacing “\$444” in the first paragraph by “\$200”;

(2) by striking out the second, third and fourth paragraphs.

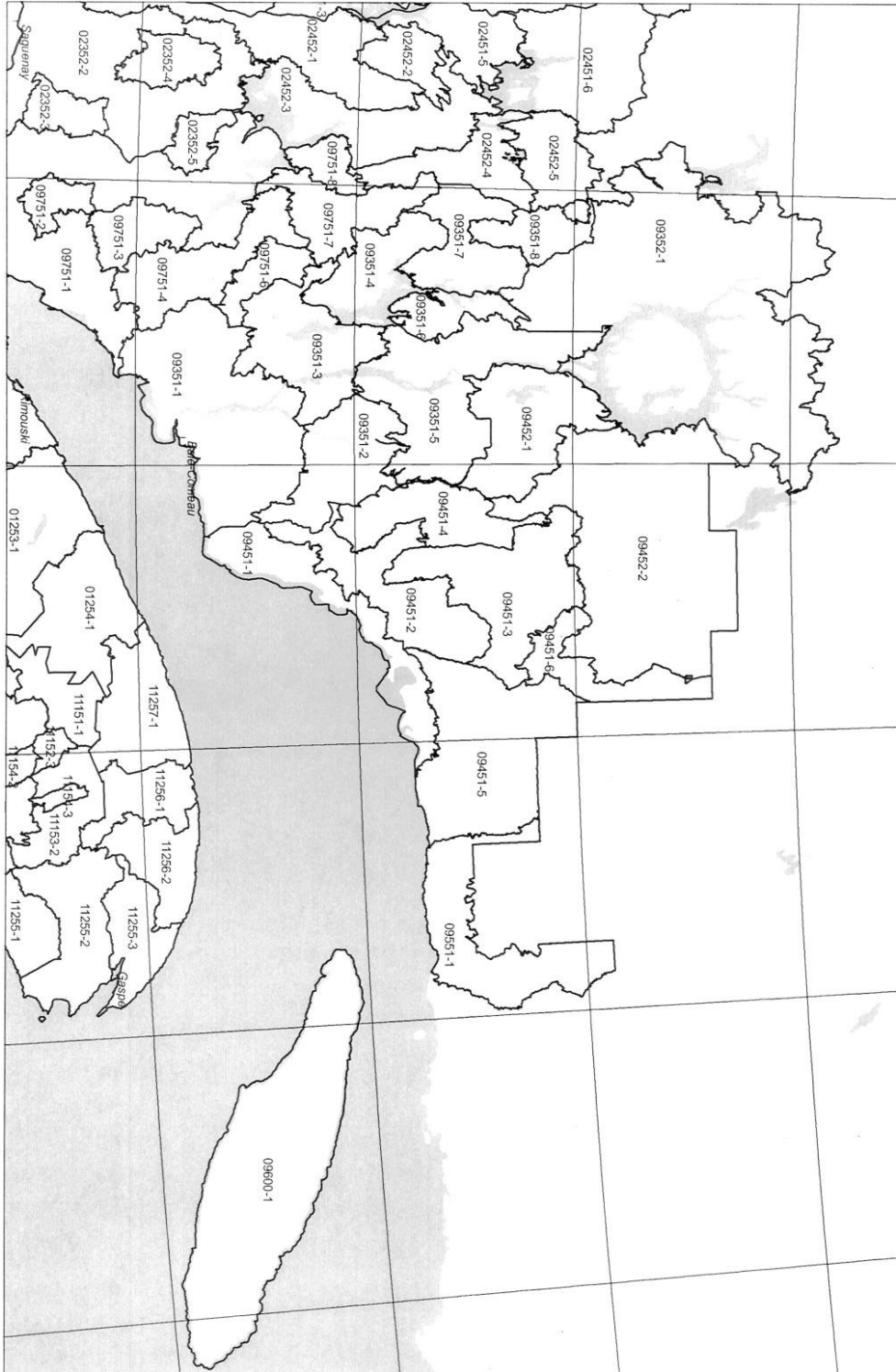
4. Section 11.3 is amended by replacing “vouchers” by “a list of expenses” and “, or a financial report relating to those costs audited by an accountant not employed by the agreement holder” by the following sentence: “The list must be approved by an accountant who is a member of a professional order and be in the form and tenor prescribed by the Minister.”.

5. Schedule I is replaced by the Schedule attached to this Regulation.

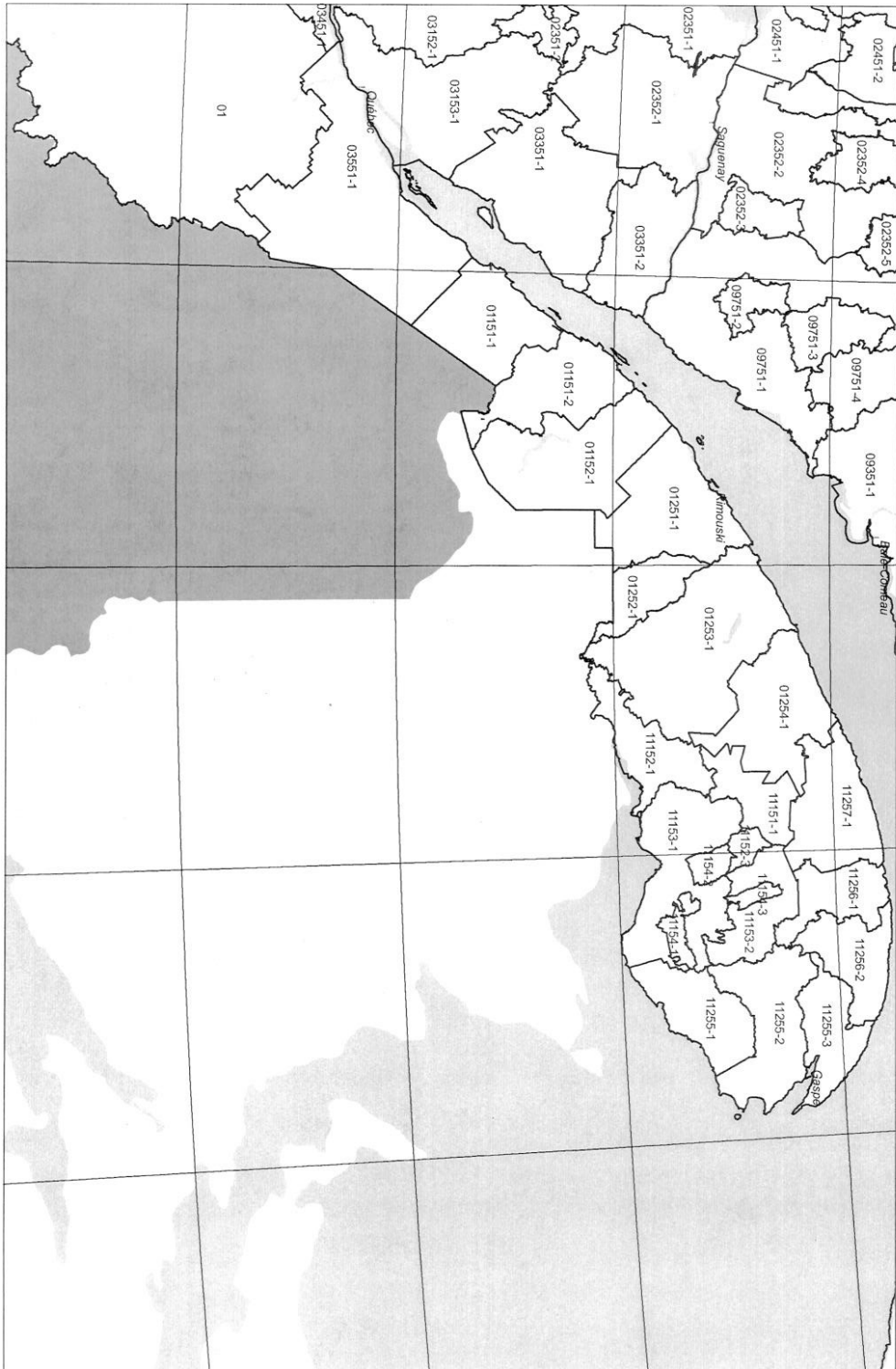
6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 1 and 5, which come into force on 1 April 2008.

* The Regulation respecting forest royalties, made by Order in Council 372-87 dated 18 March 1987 (1987, *G.O.* 2, 1099), was last amended by the regulation made by Order in Council 385-2006 dated 10 May 2006 (2006, *G.O.* 2, 1415B). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

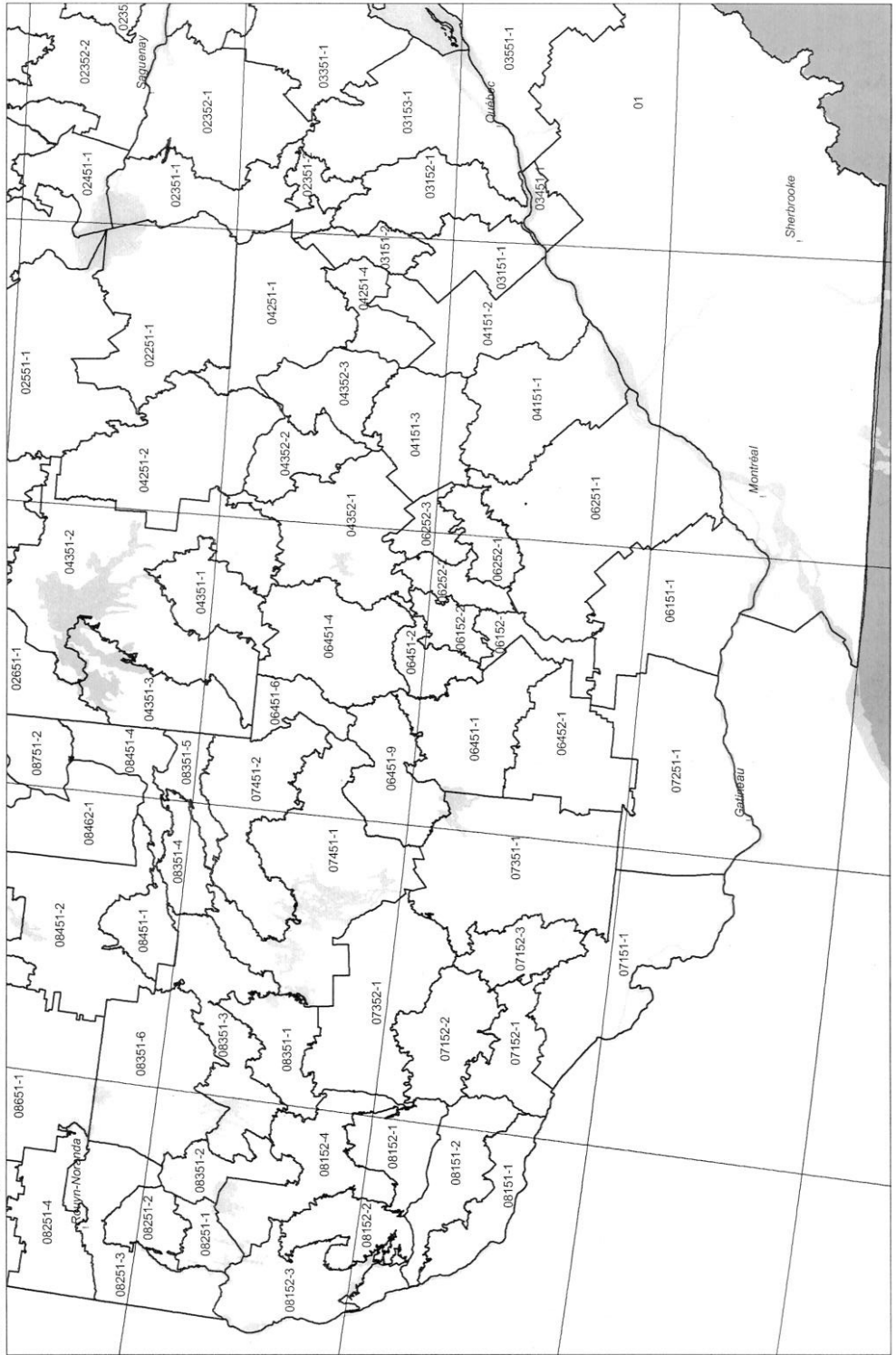
SCHEDULE 1
FOREST TARIFFING ZONES (northeast part)



SCHEDULE 1
FOREST TARIFFING ZONES (southeast part)



SCHEDULE 1
FOREST TARIFFING ZONES (southwest part)



Draft Regulation

An Act respecting municipal taxation
(R.S.Q., c. F-2.1)

Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

— 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 municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies to provide that the government of a political division of a foreign State will be exempt from municipal or school property taxes on an immovable of which it is the owner, lessee or occupant if the immovable is recognized by the Minister of International Relations as being exclusively intended for purposes comparable to consular purposes, and from personal taxes or municipal compensations imposed on the government as the owner, lessee or occupant of such an immovable, other than those imposed separately and collected as remuneration for services rendered.

Further information may be obtained by contacting François Nadeau-Labrecque, 10, rue Pierre-Olivier-Chauveau, 3^e étage, Québec (Québec) G1R 4J3; telephone: 418 691-2022; fax: 418 644-5772.

Any interested person wishing to comment on the draft Regulation may submit written comments to the Minister of Municipal Affairs and Regions, 10, rue Pierre-Olivier-Chauveau, 4^e étage, Québec (Québec) G1R 4J3, within the 45-day period.

NATHALIE NORMANDEAU,
*Minister of Municipal Affairs
and Regions*

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies*

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 210; 1988, c. 76, s. 105)

1. The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies is amended by replacing Subdivision 1 of Division I by the following:

“§1. Interpretation

1. In this Division, unless the context indicates otherwise,

“body” means an international body recognized by the Minister;

“government” means the government of a Canadian province, foreign State or political division of a foreign State;

“Minister” means the Minister of International Relations;

“political division of a foreign State” means a province, a State or a similar division of a foreign State recognized by the Minister.”

2. Section 5 is amended by replacing “by its official delegate shall be” in the third paragraph by “or a political division of a foreign State by an official delegate of the province or political division is”.

3. Section 8 is amended by adding the following paragraph after subparagraph 3 of the second paragraph:

“(4) 1 January 1999, in respect of the Representation of the Bavarian State.”

* The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, made by Order in Council 1544-89 dated 27 September 1989 (1989, G.O. 2, 3860), was last amended by section 71 of chapter 21 of the Statutes of 1996. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007

4. Sections 1 to 6 have effect from 1 January 1986 in respect of the Wallonie-Brussels Delegation.

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

8345

Draft Regulation

Veterinary Surgeons Act
(R.S.Q., c. M-8)

Pharmacy Act
(R.S.Q., c. P-10)

Terms and conditions for the sale of medications — 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 terms and conditions for the sale of medications, made by the Office des professions du Québec and appearing below, may be approved by the Government with or without amendment on the expiry of 45 days following this publication.

According to the Office, the draft Regulation clarifies the terms and conditions for the sale of Ubiquinone, specifying that only dosage forms for oral use containing 10 mg or more are listed in Schedule II.

The draft Regulation will have no financial impact on enterprises including small and medium-sized businesses.

Further information may be obtained by contacting Lucie Boissonneault, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any interested person wishing to comment on the draft Regulation may submit written comments to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, within 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 sent to the professional orders that made the Regulation as well as to interested persons, departments and bodies.

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

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications *

Veterinary Surgeons Act
(R.S.Q., c. M-8, s. 9)

Pharmacy Act
(R.S.Q., c. P-10, s. 37.1)

1. The Regulation respecting the terms and conditions for the sale of medications is amended by inserting the following specification in Schedule II after “Ubiquinone”: “Dosage forms for oral use containing 10 mg or more”.

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

8343

* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council 672-2007 dated 14 August 2007 (2007, *G.O.* 2, 2457). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

Decisions

Decision

An Act respecting school elections
(R.S.Q., c. E-2.3)

Chief Electoral Officer

— The identification of electors on polling day

WHEREAS a general school election shall take place on November 4, 2007, in the school boards of Québec;

WHEREAS the problem of elector identification was raised during the provincial general election of March 26, 2007, and during the by-election of September 24, 2007, in the Charlevoix electoral division;

WHEREAS the Chief Electoral Officer decided during these electoral periods, to adapt the provisions of the Election Act (R.S.Q., c. E-3.3) regarding the identification of electors in order to ensure the good conduct of the election and the security of electors;

WHEREAS the provisions regarding elector identification contained in the Act respecting school elections (R.S.Q., c. E-2.3) are identical to those of the Election Act;

WHEREAS the Chief Electoral Officer has reason to believe that the situation experienced during the general election of March 26, 2007 and during the by-election of September 24, 2007, in the Charlevoix electoral division is likely to recur during the school general elections of November 4, 2007;

WHEREAS the security of electors who exercise their right to vote and the good conduct of the election must be guaranteed;

WHEREAS section 30.8 of the Act respecting school elections allows the Chief Electoral Officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the Chief Electoral Officer has first informed the Minister of Education, Recreation and Sports of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt sections 112.2 and 114 of this Act as follows:

1. Anyone who appears at a polling station or at an identity verification panel must have his face uncovered.

Québec, 21 September 2007

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

8355

Transport

Gouvernement du Québec

O.C. 885-2007, 10 October 2007

An Act respecting roads
(R.S.Q., c. V-9)

Management of the road linking the Oujé-Bougoumou native community to Route 113 and exemption from the application of certain provisions of the Highway Safety Code on that road

WHEREAS the road 23.5 kilometres long linking the Oujé-Bougoumou native community to Route 113 located between Chapais and Chibougamau is built on lands in the domain of the State and is under the administration of the Ministère des Ressources naturelles et de la Faune;

WHEREAS the road is not a public highway within the meaning of section 4 of the Highway Safety Code (R.S.Q., c. C-24.2) and therefore the provisions of that Code do not apply to it;

WHEREAS the road is not a road under the management of the Minister of Transport under the Act respecting roads (R.S.Q., c. V-9) and therefore the provisions of that Act do not apply to it;

WHEREAS, under subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports (R.S.Q., c. M-28), the Minister of Transport is, in respect of any highway that may be determined by the Government from among the highways to which the Act respecting roads does not apply, to carry out, or cause to be carried out, construction, repair or maintenance work;

WHEREAS it is expedient to determine the road linking the Oujé-Bougoumou native community to Route 113 pursuant to subparagraph *i* of the first paragraph of section 3 of that Act, thereby entrusting its maintenance to the Minister of Transport and making the road a public highway within the meaning of the Highway Safety Code;

WHEREAS, under section 5.2 of the Code, the Government may, by an order in council published in the *Gazette officielle du Québec*, determine that certain provisions of the Code or of a regulation thereunder do not apply to a highway to which subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports applies;

WHEREAS it is expedient to exempt the road linking the Oujé-Bougoumou native community to Route 113 from the application of certain provisions of the Code respecting the right to travel with vehicles registered as off-highway vehicles so that the Barrette-Chapais limitée timber company currently using the road may continue to use it without additional costs;

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

THAT the road 23.5 kilometres long linking the Oujé-Bougoumou native community to Route 113 be determined pursuant to subparagraph *i* of the first paragraph of section 3 of the Act respecting the Ministère des Transports (R.S.Q., c. M-28);

THAT, pursuant to section 5.2 of the Highway Safety Code (R.S.Q., c. C-24.2), the third paragraph of section 21, the third paragraph of section 31.1, section 54 and sections 463 to 470.1, 473, 473.1, 513, 513.1 and 517 to 517.2 of the Code and the regulations thereunder do not apply to the road.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8347

Index

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

	Page	Comments
Access to documents held by public bodies and the Protection of personal information, An Act respecting... — Commission d'accès à l'information — Internal Management Rules (R.S.Q., c. A-2.1)	2880	N
Agence nationale d'encadrement du secteur financier, An Act respecting the... — Amendment to Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006 (R.S.Q., c. A-7.03)	2877	M
Basic school regulation for preschool, elementary and secondary education made on 22 August 2007 — Correction to the English text (Education Act, R.S.Q., c. I-13.3)	2877	M
Building Act — Régie du bâtiment du Québec — Signing of certain deeds, documents or writings (R.S.Q., c. B-1.1)	2878	N
Chief Electoral Officer — Identification of electors on polling day (An Act respecting school elections, R.S.Q., c. E-2.3)	2901	Decision
Commercial aquaculture (An Act respecting commercial aquaculture, R.S.Q., c. A-20.2)	2883	Draft
Commercial aquaculture, An Act respecting... — Commercial aquaculture (R.S.Q., c. A-20.2)	2883	Draft
Commission d'accès à l'information — Internal Management Rules (An Act respecting Access to documents held by public bodies and the Protection of personal information, R.S.Q., c. A-2.1)	2880	N
Conditions of placement in an intensive supervision unit (Youth Protection Act, R.S.Q., c. P-34.1)	2879	N
Distribution of financial products and services, An Act respecting the... — Dues, contributions and fees payable (R.S.Q., c. D-9.2)	2891	Draft
Dues, contributions and fees payable (An Act respecting the distribution of financial products and services, R.S.Q., c. D-9.2)	2891	Draft
Education Act — Basic school regulation for preschool, elementary and secondary education made on 22 August 2007 — Correction to the English text (R.S.Q., c. I-13.3)	2877	M
Forest Act — Forest royalties (R.S.Q., c. R-18.1)	2892	Draft
Forest royalties (Forest Act, R.S.Q., c. R-18.1)	2892	Draft

Management of the road linking the Oujé-Bougoumou native community to Route 113 and exemption from the application of certain provisions of the Highway Safety Code on that road (An Act respecting roads, R.S.Q., c. V-9)	2903	N
Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (An Act respecting municipal taxation, R.S.Q., c. F-2.1)	2898	Draft
Municipal taxation, An Act respecting... — Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (R.S.Q., c. F-2.1)	2898	Draft
Order in Council 45-2004 dated 21 January 2004, amended by Orders in Council 1169-2004 dated 15 December 2004, 1182-2005 dated 7 December 2005 and 1080-2006 dated 29 November 2006 — Amendment (An Act respecting the Agence nationale d'encadrement du secteur financier, R.S.Q., c. A-7.03)	2877	M
Pharmacy Act — Terms and conditions for the sale of medications (R.S.Q., c. P-10)	2899	Draft
Régie du bâtiment du Québec — Signing of certain deeds, documents or writings (Building Act, R.S.Q., c. B-1.1)	2878	N
Roads, An Act respecting... — Management of the road linking the Oujé-Bougoumou native community to Route 113 and exemption from the application of certain provisions of the Highway Safety Code on that road (R.S.Q., c. V-9)	2903	N
School elections, An Act respecting... — Chief Electoral Officer — Identification of electors on polling day (R.S.Q., c. E-2.3)	2901	Decision
Terms and conditions for the sale of medications (Pharmacy Act, R.S.Q., c. P-10)	2899	Draft
Terms and conditions for the sale of medications (Veterinary Surgeons Act, R.S.Q., c. M-8)	2899	Draft
Veterinary Surgeons Act — Terms and conditions for the sale of medications (R.S.Q., c. M-8)	2899	Draft
Youth Protection Act — Conditions of placement in an intensive supervision unit (R.S.Q., c. P-34.1)	2879	N