

Gazette
officielle

DU
Québec

Part

2

No. 7

13 February 2008

Laws and Regulations

Volume 140

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Coming into force of Acts

Gouvernement du Québec

O.C. 25-2008, 31 January 2008

An Act to amend the Securities Act and other legislative provisions (2006, c. 50)

— Coming into force of certain sections

COMING INTO FORCE of certain sections of the Act to amend the Securities Act and other legislative provisions

WHEREAS the Act to amend the Securities Act and other legislative provisions (2006, c. 50) was assented to on 14 December 2006;

WHEREAS section 143 of the Act provides that the Act comes into force on 14 December 2006, except sections 2, 11, 16 to 24 and 26, paragraph 3 of section 28, paragraph 2 of section 30, sections 33 and 34, section 35 to the extent that it repeals sections 84 and 85 of the Securities Act (R.S.Q., c. V-1.1), sections 36 to 39, 41, 56 and 58, paragraphs 2, 3 and 4 of section 61, paragraph 1 of section 62, section 65, paragraph 2 of section 66, paragraphs 1 and 3 of section 67, paragraph 2 of section 72, sections 73 and 74, paragraphs 1 and 2 of section 78, sections 80, 88 and 89 and paragraphs 4, 5, 9, 10, 13 and 14 of section 108, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 1 February 2008 as the date of coming into force of paragraph 3 of section 28, paragraph 2 of section 30, section 36 to the extent that it enacts section 89 of the Securities Act (R.S.Q., c. V-1.1), section 41, paragraph 4 of section 61, paragraph 1 of section 62, paragraphs 1 and 3 of section 67, section 68, section 71, paragraph 2 of section 72, sections 73 and 74, paragraphs 1 and 2 of section 78, section 80 and paragraphs 13 and 14 of section 108 of the Act to amend the Securities Act and other legislative provisions;

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

THAT 1 February 2008 be set as the date of coming into force of paragraph 3 of section 28, paragraph 2 of section 30, section 36 to the extent that it enacts section 89 of the Securities Act (R.S.Q., c. V-1.1), section 41, paragraph 4 of section 61, paragraph 1 of section 62,

paragraphs 1 and 3 of section 67, section 68, section 71, paragraph 2 of section 72, sections 73 and 74, paragraphs 1 and 2 of section 78, section 80 and paragraphs 13 and 14 of section 108 of the Act to amend the Securities Act and other legislative provisions (2006, c. 50).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8548

Gouvernement du Québec

O.C. 30-2008, 31 January 2008

An Act to amend the Courts of Justice Act and the Act respecting municipal courts (2005, c. 41)

— Coming into force of section 20

COMING INTO FORCE of section 20 of the Act to amend the Courts of Justice Act and the Act respecting municipal courts (2005, c. 41)

WHEREAS the Act to amend the Courts of Justice Act and the Act respecting municipal courts (2005, c. 41) was assented to on 13 December 2005;

WHEREAS section 24 of the Act provides that section 20 of the Act comes into force on the date to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of section 20 of the Act;

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

THAT 13 February 2008 be set as the date of coming into force of section 20 of the Act to amend the Courts of Justice Act and the Act respecting municipal courts (2005, c. 41).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8549

Regulations and other acts

Gouvernement du Québec

O.C. 39-2008, 31 January 2008

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

Physicians
— **Code of ethics**
— **Amendments**

Regulation to amend the Code of ethics of physicians

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the members of the Order towards the public, clients, and the profession, particularly the duty to discharge their professional obligations with integrity;

WHEREAS the Bureau du Collège des médecins du Québec made the Regulation to amend the Code of ethics of physicians;

WHEREAS, under section 95.3 of the Professional Code, a draft Regulation was sent to every member of the Order at least 30 days before being made by the Bureau;

WHEREAS, in accordance with section 95 of the Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination; it must be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 November 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following the publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of physicians, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of physicians*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of physicians is amended in section 8:

(1) by the addition of the following paragraph at the beginning:

“A physician’s duties and obligations under the Medical Act, the Professional Code and their regulations are in no way changed or reduced by the fact that he practices the profession within a partnership or company.”;

(2) by replacement of the words “this Code” with the words “this Act, this Code and these regulations”.

2. The Code is amended in section 72 by addition of the following paragraph at the end:

“Any agreement entered into by the physician or a partnership or corporation of which he is a partner or shareholder regarding the enjoyment of a building or a space for practice of the medical profession, must be entirely recorded in writing and include a statement that the obligations arising from the agreement comply with the provisions of the Code and a clause authorizing release of the agreement to the Collège des médecins upon its request.”.

* The Code of Ethics of physicians approved by Order in Council No. 1213-2002 of October 9, 2002 (2002, *G.O.* 2, 5574) has not been amended since its approval.

3. The Code is amended in section 73 by replacing paragraph (3) with the following:

(3) “from accepting, in his capacity as a physician or by using his title of physician, any commission, rebate or material benefit with the exception of customary presents and gifts of modest value.”.

4. The Code is amended by inserting, after section 73, the following:

“**73.1.** Specifically constituting a material advantage as contemplated by subparagraph (3) of section 73 is the enjoyment of a building or a space at no charge or at a discount for the practice of the medical profession granted to a physician or to a partnership or corporation of which he is a partner or shareholder by:

(1) a pharmacist or a partnership or corporation of which the pharmacist is a partner or shareholder;

(2) a person whose activities are linked, directly or indirectly, to the practice of pharmacy;

(3) another person in a context that may present a conflict of interests, whether real or only apparent.

Whether a rent is fair and reasonable is determined as a function of local socio-economic conditions at the time it is fixed.”.

5. This regulation comes into force on March 1, 2008, except for section 2, which comes into force on December 4, 2008.

8550

Gouvernement du Québec

O.C. 53-2008, 31 January 2008

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

Changes in the destination of timber allocated to a holder of a timber supply and forest management agreement

Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement

WHEREAS, under the first paragraph of section 43.1.1 of the Forest Act (R.S.Q., c. F-4.1), enacted by section 5 of chapter 45 of the Statutes of 2006, a holder of a timber

supply and forest management agreement may, with no further formality than that described in the third paragraph, send timber harvested during the year which, under the agreement, was intended for the agreement holder’s wood processing plant to other processing plants operating under a timber supply and forest management agreement, except that the sum of the volumes of timber that may be sent to other processing plants during a given year may not exceed the volume of timber determined by regulation of the Government;

WHEREAS, under the second paragraph of section 43.1.1, the sum of the volumes of timber from other wood processing plants operating under a timber supply and forest management agreement that are sent to the processing plant referred to in the agreement holder’s agreement during a given year may not exceed the volume of timber determined by regulation of the Government and additional volumes of timber equal to the volumes of timber that the agreement holder may have sent to other processing plants under the first paragraph of section 43.1.1 may be added to that volume;

WHEREAS, under subparagraph 6.1 of the first paragraph of section 172 of the Forest Act, the Government may, by regulation, determine, for the purposes of the first and second paragraphs of section 43.1.1, the volume of timber that, during a given year, may be sent to wood processing plants not referred to in the holder’s agreement and the volume of timber that, during a given year, may be sent from other wood processing plants to a wood processing plant referred to in a holder’s agreement;

WHEREAS, under that subparagraph, those volumes of timber may be expressed as a percentage of the annual volumes set in the holder’s agreement or be based on any other rule for calculating them determined by regulation of the Government;

WHEREAS, under section 35 of chapter 45 of the Statutes of 2006, section 5 of the Act comes into force on the date of coming into force of the first regulation made under subparagraph 6.1 of the first paragraph of section 172 of the Forest Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 6.1)

1. The volume of timber harvested during the year which, under a timber supply and forest management agreement, is intended for the agreement holder's wood processing plant and which may, pursuant to the first paragraph of section 43.1.1 of the Forest Act (R.S.Q., c. F-4.1), be sent to other wood processing plants operating under such an agreement may not exceed, during a given year, 10% of the annual volumes of timber allocated to the agreement holder under the holder's agreement.

2. The volume of timber which, pursuant to the second paragraph of section 43.1.1 of the Act, may be sent to an agreement holder's plant from other plants operating under a timber supply and forest management agreement may not exceed, during a given year, 10% of the annual volumes of timber allocated to the agreement holder under the holder's agreement.

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

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Gouvernement du Québec

O.C. 54-2008, 31 January 2008

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

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

WHEREAS, under paragraph 10 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may make regulations determining the cost of issuing, replacing and renewing a licence or certificate;

WHEREAS the Government made the Regulation respecting the scale of fees and duties related to the development of wildlife by Order in Council 1291-91 dated 18 September 1991;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, pursuant to section 75 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1), under which all drafts of regulations the Government intends to make relating to the Hunting, Fishing and Trapping Regime are to be submitted to the Hunting, Fishing and Trapping Coordinating Committee for its advice, the Committee has been consulted;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 13 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS no comments have been submitted in respect of the draft Regulation since that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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, par. 10)

1. Section 15 of the Regulation respecting the scale of fees and duties related to the development of wildlife is amended

(1) by replacing “variation computed for the month of June of the preceding year, in the not seasonally adjusted Consumer Price Index for Canada (recreation component) as” in the first paragraph by “variation, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI)”;

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

“The Minister shall publish the result of the indexing in Part 1 (French) of the *Gazette officielle du Québec* or by any other appropriate means.”.

2. Schedule I is amended

(1) by inserting the following after subparagraph *ii* of paragraph *c* of section 1:

“iii. non-resident Canadian \$117”;

(2) by inserting the following after subparagraph *ii* of paragraph *d* of section 1:

“iii. non-resident Canadian \$117”;

* 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 September 2007.

(3) by inserting the following after subparagraph *ii* of paragraph *g* of section 1:

“iii. non-resident Canadian \$117”.

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

8552

Gouvernement du Québec

O.C. 55-2008, 31 January 2008

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

Various regulations respecting controlled zones — Amendments

Regulation to amend various regulations respecting controlled zones

WHEREAS, under section 110 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may make regulations on the matters set forth therein in respect of controlled zones;

WHEREAS the Government made the Regulation respecting wildfowl hunting controlled zones, the Regulation respecting hunting and fishing controlled zones and the Regulation respecting salmon fishing controlled zones by Order in Council 1255-99 dated 17 November 1999;

WHEREAS it is expedient to amend those regulations;

WHEREAS, pursuant to section 75 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1), under which all drafts of regulations the Government intends to make relating to the Hunting, Fishing and Trapping Regime are to be submitted to the Hunting, Fishing and Trapping Coordinating Committee for its advice, the Committee has been consulted;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend various regulations respecting controlled zones was published in Part 2 of the *Gazette officielle du Québec* of 13 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS no comments have been submitted in respect of the draft Regulation since that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend various regulations respecting controlled zones, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend various regulations respecting controlled zones *

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, 1st par., subpars. 5.3 and 6)

1. The Regulation respecting wildfowl hunting controlled zones is amended by inserting the following after section 17:

“**17.1.** As of 1 April 2008, the maximum amounts of the fees payable for wildfowl hunting, set pursuant to section 15, are adjusted annually based on the annual percentage change, calculated for the month of June of the preceding year, in the general Consumer Price Index (CPI) published by Statistics Canada.

The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* or by any other appropriate means.”.

*The regulations amended are the Regulation respecting wildfowl hunting controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), amended once by the regulation made by Order in Council 1095-2002 dated 18 September 2002 (2002, *G.O.* 2, 5273), the Regulation respecting hunting and fishing controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), last amended by the regulation made by Order in Council 485-2004 dated 19 May 2004 (2004, *G.O.* 2, 1642), and the Regulation respecting salmon fishing controlled zones, made by Order in Council 1255-99 dated 17 November 1999 (1999, *G.O.* 2, 4381), 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 September 2007.

2. Section 28.1 of the Regulation respecting hunting and fishing controlled zones is amended

(1) by replacing “shall be indexed annually by applying to their value for the preceding year the percentage of annual increase in the unadjusted Canadian Consumer Price index (recreation component), computed for the month of June of the preceding year, as” in the first paragraph by “are adjusted annually based on the annual percentage change, calculated for the month of June of the preceding year, in the general Consumer Price Index (CPI)”;

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

“The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* or by any other appropriate means.”.

3. Section 20.2 of the Regulation respecting salmon fishing controlled zones is amended

(1) by replacing “are indexed annually by applying to their value for the preceding year the annual percentage change, calculated for the month of June of the preceding year, in the Consumer Price Index for Canada, not seasonally adjusted (recreation component), as” in the first paragraph by “are adjusted annually based on the annual percentage change, calculated for the month of June of the preceding year, in the general Consumer Price Index (CPI)”;

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

“The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* or by any other appropriate means.”.

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

8553

Gouvernement du Québec

O.C. 56-2008, 31 January 2008

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

Forest royalties
— Amendments

Regulation to amend the Regulation respecting forest royalties

WHEREAS, under subparagraphs 1, 2 and 3 of the first paragraph of section 172 of the Forest Act (R.S.Q., c. F-4.1), the Government may, by regulation,

(1) determine, for each species, group of species and quality of timber or, where applicable, for each area of land, the unit rate or the rules of calculation of the unit rate at which the Minister is to determine, for any class of forest management permit, the dues payable by the permit holder;

(2) establish forest tariffing zones for the establishment of the unit rates at which the amounts of dues are to be determined by the Minister;

(3) establish in particular the conditions governing the granting of credits applicable to the payment of dues referred to in section 73.1 of the Act, including the information, reports or other documents to be prepared or submitted;

WHEREAS the Government made the Regulation respecting forest royalties by Order in Council 372-87 dated 18 March 1987;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting forest royalties was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS comments have been submitted in respect of the draft Regulation since that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting forest royalties, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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.”.

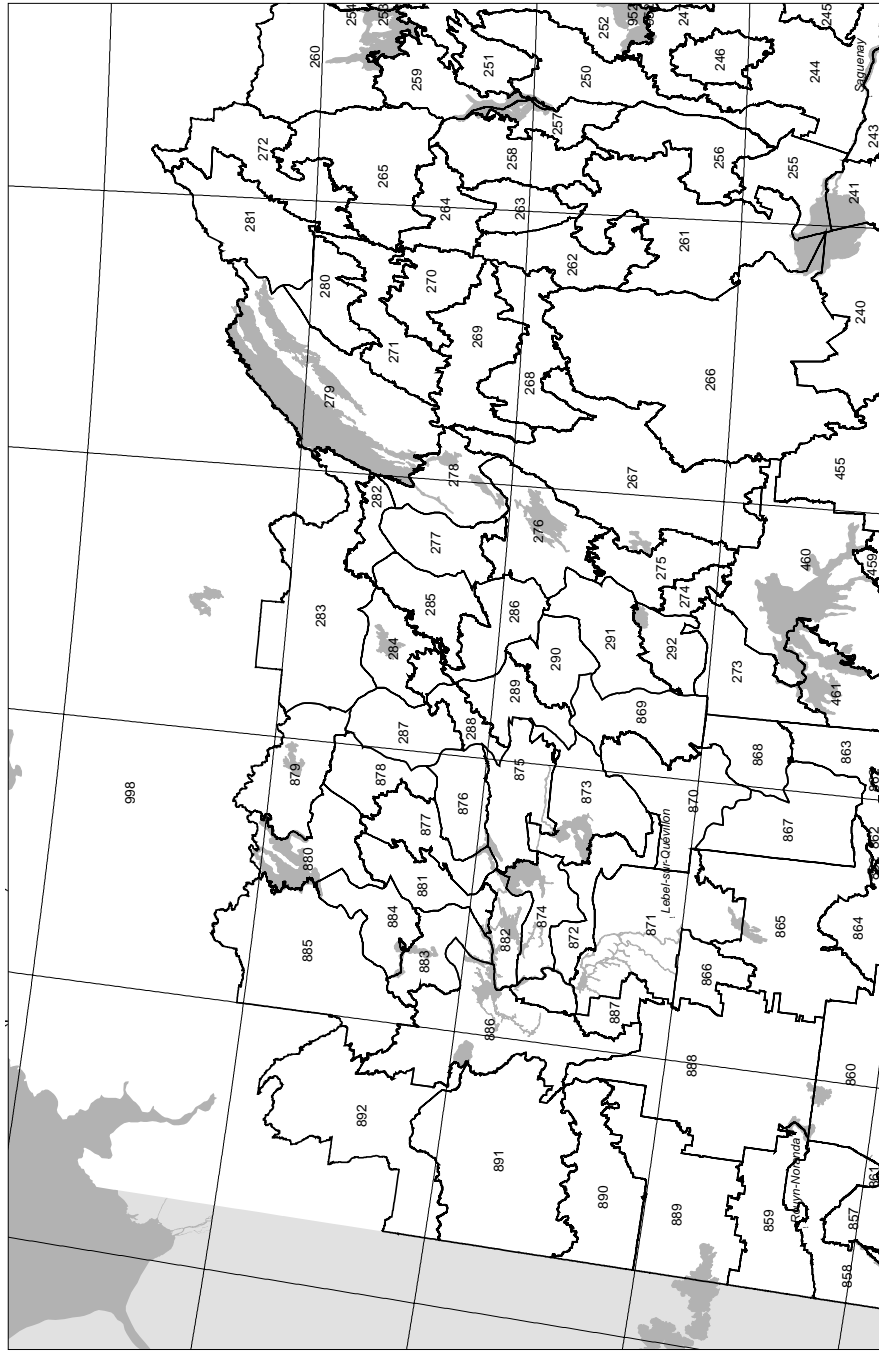
5. Schedule I is replaced by the Schedule attached to this Regulation.

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 September 2007.

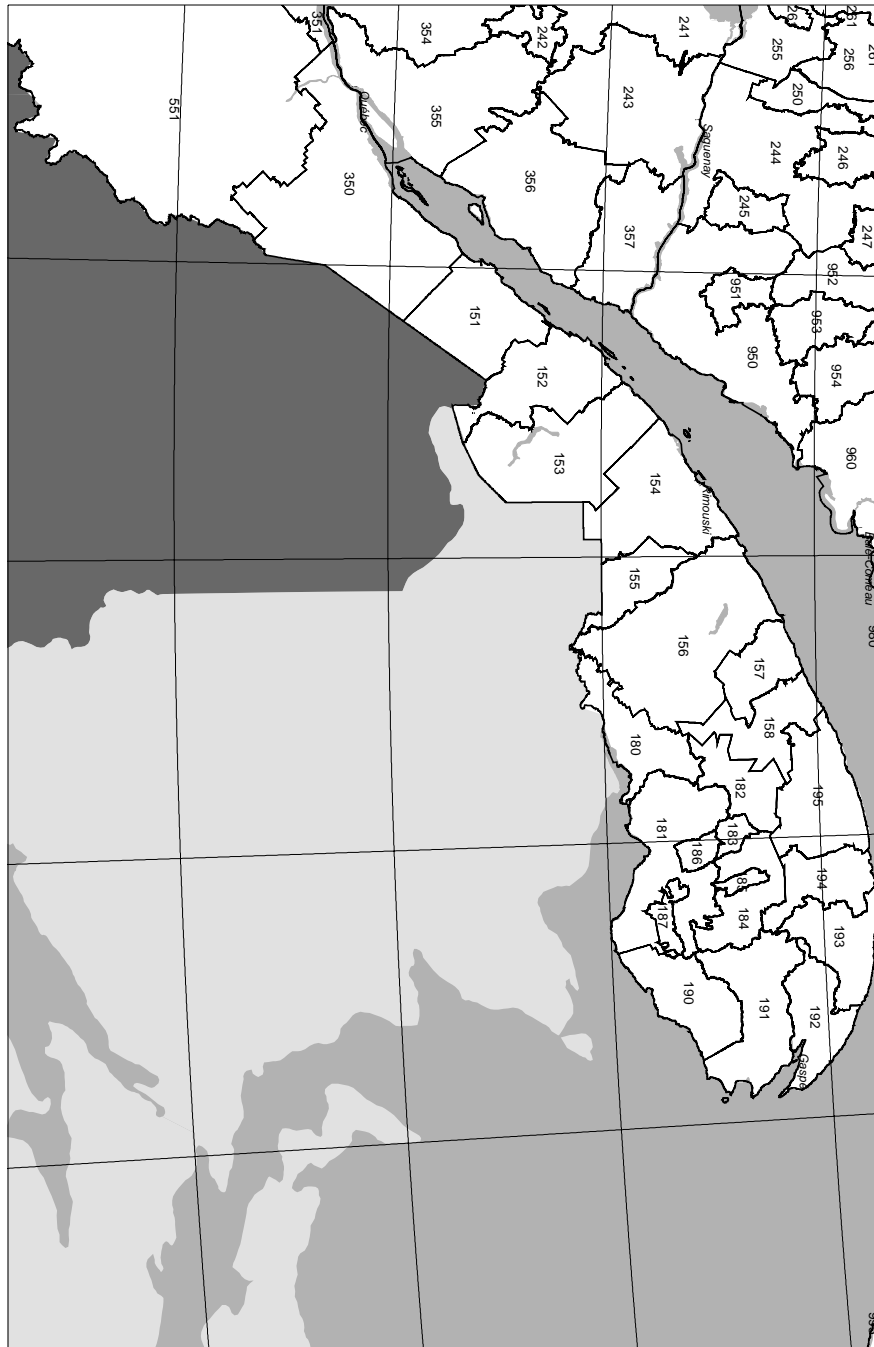
SCHEDULE 1

**FOREST TARIFFING ZONES
(northwest part)**



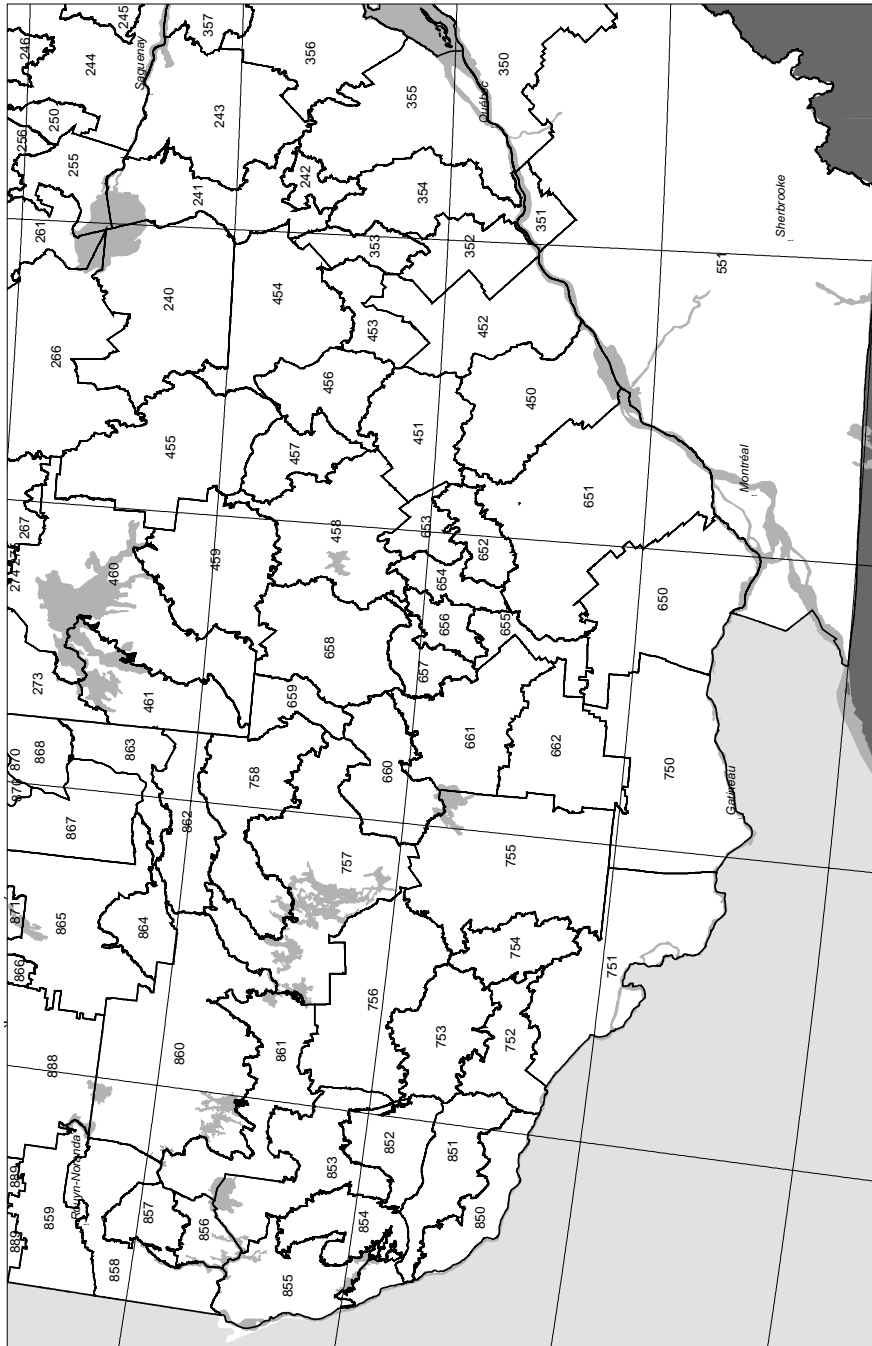
SCHEDULE 1

FOREST TARIFFING ZONES
(southeast part)



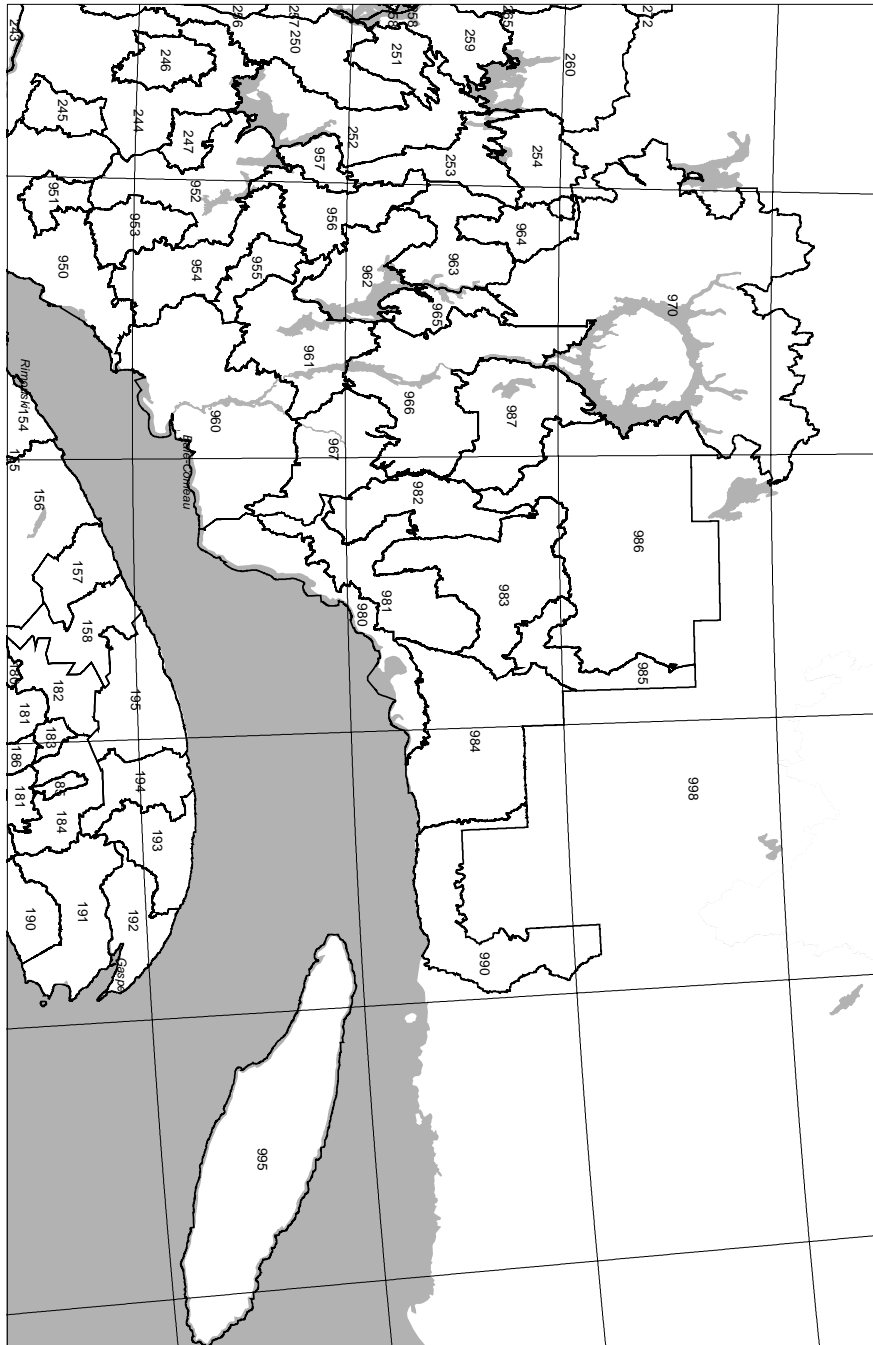
SCHEDULE 1

**FOREST TARIFFING ZONES
(southwest part)**



SCHEDULE 1

**FOREST TARIFFING ZONES
(northeast part)**



Gouvernement du Québec

O.C. 64-2008, 31 January 2008

Master Electricians Act
(R.S.Q., c. M-3)

Corporation of Master Electricians of Québec
— Admission as members

Regulation respecting admission as members of the Corporation of Master Electricians of Québec

WHEREAS the Corporation of Master Electricians of Québec initiated in 2006 a process to revise the Regulation of the Corporation of Master Electricians of Québec which was made by a decision at its meeting of 10 March 1983;

WHEREAS, at the end of the process, the Corporation decided to replace the Regulation by 5 separate regulations;

WHEREAS, under section 12 of the Master Electricians Act (R.S.Q., c. M-3), the provincial council of administration of the Corporation on 20 October 2006 made the Regulation respecting admission as members of the Corporation of Master Electricians of Québec;

WHEREAS, under section 13 of that Act, the Regulation is to be submitted to the Government for approval;

WHEREAS, under section 13 of the Master Electricians Act and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation respecting admission as members of the Corporation of Master Electricians of Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting admission as members of the Corporation of Master Electricians of Québec

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, subpar. c)

DIVISION I
ADMISSION

1. An application for admission to the Corporation of Master Electricians of Québec is not deemed to be received unless it contains all the required information and documents and is accompanied by the payment of the annual assessment and entrance dues payable to the Corporation.

2. An application for the admission of a partnership or legal person must be made on its behalf by a technical guarantor.

A technical guarantor is a natural person who has shown that, following examinations passed under the Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992, he or she has the knowledge required for the management of electrical installation work.

3. A person applying for admission must provide the Corporation with the following information and documents:

(1) the person's name and address and the telephone number of the person's principal establishment;

(2) an undertaking to meet the conditions listed in section 4 regarding the person's principal establishment and any vehicle used by the person;

(3) a statement by the technical guarantor regarding the person's representative; and

(4) an undertaking to answer for acts and omissions in a case of a change in legal status.

4. A person applying for admission to the Corporation must undertake in the application to meet the following conditions on or before the 30th day following the issue of the person's electrical contractor's licence:

(1) maintain an office at its principal establishment that is at least 15 square metres laid out exclusively for the purpose of carrying on the business of electrical contractor;

(2) be listed in the municipal telephone book with the address of its principal establishment, in reference to the business of electrical contractor;

(3) post a sign at least 23 cm x 46 cm in size in public view at its principal establishment, bearing the person's name, the nature of the activities carried on and the Corporation logo at least 15 cm x 15 cm in size; the person may be wholly or partially exempted from that obligation if the Corporation is provided with a certified true copy of a municipal by-law prohibiting such a sign; and

(4) permanently display the name of the holder of the electrical contractor's licence and the Corporation logo on the sides of every vehicle used or allowed to be used by the person to travel between construction sites and to transport material and equipment; the name must be at least 23 cm x 46 cm in size and the logo at least 15 cm x 15 cm.

5. The annual assessment payable to the Corporation is \$633.48. It is adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 December of the preceding year.

The amount of the adjusted assessment is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

6. The Corporation's entrance dues are \$100. They are adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 December of the preceding year.

The amount of the adjusted dues is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

7. The annual assessment of the Corporation is payable on application for the issue or renewal of an electrical contractor's licence.

Failure to pay the assessment on the due date entails the striking off of the name of the electrical contractor's licence holder from the list of members of the Corporation.

8. The Corporation sends the notice of assessment to the principal establishment of each of its members.

9. A member who changes legal status must pay entrance dues to the Corporation. The assessment paid before the change is valid as the new member's assessment until the date on which the annual assessment becomes payable.

10. The Corporation may publish the name of a person who is no longer a member.

11. A person who ceases or abandons activities as an electrical contractor or whose licence as such is suspended or cancelled is not entitled to any refund of the assessment paid to the Corporation.

If an electrical contractor's licence is abandoned, suspended, cancelled or not renewed, the name of the licence holder is struck from the list of members of the Corporation.

DIVISION II CERTIFICATE AND MEMBERSHIP CARD

12. The Corporation issues a certificate and a membership card to every new member and to every member renewing a licence.

The documents remain the property of the Corporation.

13. The membership card contains the following information:

(1) the name of the electrical contractor's licence holder;

(2) the expiry date of the membership card;

(3) the name of the enterprise's representative; and

(4) an indication that the membership card is no longer valid if the electrical contractor's licence is suspended or has been cancelled or expired.

A representative is a technical guarantor, a partner or an officer of an enterprise who is a member of the Corporation and who is designated as a representative for the enterprise in accordance with sections 79 and 80

of the Regulation respecting the internal management of the Corporation of Master Electricians of Québec, approved by Order in Council 62-2008 dated 31 January 2008.

14. The certificate and membership card are mailed by the Corporation to the member's principal establishment.

15. The certificate and membership card cease to be valid if the electrical contractor's licence is suspended, cancelled or expired; in such a case, they must be returned to the Corporation within 10 days of a written request from the Corporation to that effect.

DIVISION III RIGHTS AND DUTIES OF MEMBERS

16. A member has the rights granted by the Act and the regulations of the Corporation, in particular the right

(1) to receive calls to meetings and to attend the meetings of the Corporation and those of the members of the section;

(2) to take part in the discussions at a meeting of the Corporation;

(3) to take part in the discussions and to vote, if applicable, at a meeting of the members of the section;

(4) to elect the members of the executive committee of the Corporation and the administrators of the section;

(5) to be a candidate for a position of director on the executive committee of the Corporation or the section, in accordance with the eligibility criteria defined in the Regulation respecting the internal management of the Corporation of Master Electricians of Québec; and

(6) to consult the books of the Corporation and the minutes of the general meetings of the members of the Corporation during the Corporation's business hours.

The correspondence and records of the Corporation and the minutes of council and committee sittings are confidential and may be consulted only by members of the council and of the respective committees.

A section is an administrative division of the Corporation established by the Regulation respecting the sections of the Corporation of Master Electricians of Québec, approved by Order in Council 63-2008 dated 31 January 2008.

17. A member must comply with the obligations imposed by the Act and the regulations of the Corporation and in particular,

(1) pay the assessment and dues due to the Corporation;

(2) answer in writing without delay to any correspondence from the various committees of the Corporation, an investigator, the executive vice-president or any person designated by the latter for the purposes of the Act and the regulations of the Corporation;

(3) inform the Corporation of any change in the member's enterprise affecting the information or documents sent to the Corporation in accordance with this Regulation, within 30 days of the change;

(4) give notice in writing to the Corporation of the intention to terminate or abandon activities as an electrical contractor and inform the Corporation of the date of the termination or abandonment; and

(5) provide identification and identify any document used or published by the member on behalf of the licence holder indicated on the member's electrical contractor's licence.

DIVISION IV HONORARY MEMBERS

18. A section or the executive committee may recommend the appointment of an honorary member. After study, the council may, by resolution, decide to issue an honorary member's certificate to a natural person who

(1) was a master electrician and technical guarantor of an electrical contractor's licence for at least 10 years;

(2) is no longer involved in the carrying on of an electrical contractor business; and

(3) has distinguished himself or herself through exceptional services rendered to the Corporation within a section or on a province-wide basis.

19. An honorary member's certificate is irrevocable. It only entitles its holder

(1) to receive calls to meetings and other correspondence pertaining to the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides;

(2) to attend the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides, without voting rights; and

(3) to receive certain of the Corporation's publications.

DIVISION V

TRANSITIONAL AND FINAL

20. During the 12 months following the coming into force of this Regulation, the annual assessment payable under the first paragraph of section 7 on the renewal of an electrical contractor's licence is established in proportion to the number of months elapsed since 1 August preceding the licence renewal date.

21. This Regulation replaces sections 3 to 3.5, 5 to 9, 12, 13, 159 to 168, 171 and 172 of the Regulation of the Corporation of Master Electricians of Québec made by the decision dated 10 March 1983.

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

8555

Gouvernement du Québec

O.C. 65-2008, 31 January 2008

Master Electricians Act
(R.S.Q., c. M-3)

Corporation of Master Electricians of Québec — Committees

Regulation respecting the committees of the Corporation of Master Electricians of Québec

WHEREAS the Corporation of Master Electricians of Québec initiated in 2006 a process to revise the Regulation of the Corporation of Master Electricians of Québec which was made by a decision at its meeting of 10 March 1983;

WHEREAS, at the end of the process, the Corporation decided to replace the Regulation by 5 separate regulations;

WHEREAS, under section 12 of the Master Electricians Act (R.S.Q., c. M-3), the provincial council of administration of the Corporation on 20 October 2006 made the Regulation respecting the committees of the Corporation of Master Electricians of Québec;

WHEREAS, under section 13 of that Act, the Regulation is to be submitted to the Government for approval;

WHEREAS, under section 13 of the Master Electricians Act and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation respecting the committees of the Corporation of Master Electricians of Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the committees of the Corporation of Master Electricians of Québec

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, subpars. *h* and *i*)

DIVISION I GENERAL

1. The Provincial Council of Administration of the Corporation of Master Electricians of Québec appoints the members of every committee.

2. A member of the council of the Corporation may not be a member of the committee on discipline, the appeals committee, the qualification committee or the review committee.

3. Each member of a committee, other than a member of the committee on discipline, the appeals committee, the qualification committee or the review committee, remains in office until replaced or reappointed.

Subject to the first paragraph, at its sitting following the annual meeting, the council must revise the list of members on the committees to make any appointments and changes it considers expedient to make.

The resignation of a committee member must be made by a notice in writing. It takes effect on the date on which the notice is received.

4. The acts and proceedings of a committee may be reviewed by the council or the executive committee, except those of the nominating and election committee, the complaints examination committee, the committee on discipline, the appeals committee, the qualification committee and the review committee.

5. The members of the committee on discipline, the appeals committee, the qualification committee and the review committee are appointed by the council for a three-year term.

Despite the expiry of term, a member of one of those committees may, however, continue to hear a matter under his or her consideration.

The members of the other committees are appointed for a one-year term.

6. The executive committee may for cause, including illness or absence, dismiss any member of a committee. Such a dismissal must be approved by the council.

7. The executive committee fills any vacant seat on a committee. Such an appointment must be approved by the council.

8. The number of members of a committee may be increased by the executive committee or the council.

9. The executive vice-president may designate an employee of the Corporation as the coordinator of a committee or as a resource person or secretary for that committee. That person has no decision-making power.

10. A committee sits when the need arises.

11. Each committee must record the minutes of its sittings and on request, report on its activities to the executive committee and the council.

12. A committee has an advisory or a decision-making role.

13. Each member of a committee must sign the oath of discretion in Schedule I.

A committee member who violates the oath is dismissed from the committee by resolution of the council.

14. A member of the complaints examination committee is disqualified from sitting and a member of the committee on discipline, the appeals committee, the

qualification committee or the review committee is disqualified from sitting and must refrain from taking part in a hearing if

(1) the member is a relative of an officer of the member mentioned in the complaint by blood or by alliance to the degree of cousin-german;

(2) there is a mortal enmity between the member and the member mentioned in the complaint;

(3) the member is a relative by blood or by alliance of the attorney of one of the parties;

(4) the member is a party to a dispute regarding the issue involved in the complaint; or

(5) the member has tendered for the project involved in the complaint under investigation.

A ground for disqualification or recusation must be raised at the first opportunity and be dealt with immediately.

DIVISION II COMMITTEES

15. The committees of the Corporation are

(1) the nominating and election committee;

(2) the legislation and regulation committee;

(3) the committee on the professional development of master electricians and manpower training;

(4) the audit committee;

(5) the complaints examination committee;

(6) the committee on discipline;

(7) the appeals committee;

(8) the qualification committee; and

(9) the review committee.

§1. Nominating and election committee

16. The nominating and election committee is composed of five members. It is a decision-making committee that performs the functions set out in Division VI of the Regulation respecting the internal management of the Corporation of Master Electricians of Québec, approved by Order in Council 62-2008 dated 31 January 2008.

The decisions of the committee are made by a majority.

§2. *Legislation and regulation committee*

17. The legislation and regulation committee is composed of nine members. It is an advisory committee that performs the following functions at the request of the executive committee:

(1) it examines all legislation and regulations relevant to the activities of the Corporation's members;

(2) it examines and coordinates every resolution of the council regarding the legislation and regulations relevant to the activities of the Corporation's members; and

(3) it makes recommendations to the council on amendments to the Act and the Corporation's regulations or to any other Act or regulation relevant to the activities of electrical contractors.

§3. *Committee on the professional development of master electricians and manpower training*

18. The committee on the professional development of master electricians and manpower training is composed of five members.

It is an advisory committee that performs its mandate of seeing to the development of master electricians under the name "Institute for the development of master electricians".

It may take part in the preparation of courses to upgrade the skills of master electricians and any training program relating to apprenticeship in the trade of electrician.

§4. *Audit committee*

19. The audit committee is composed of five members. Members of the executive committee may not sit on the audit committee, although the treasurer of the Corporation attends its sittings without voting rights.

The audit committee is an advisory committee having the following functions:

(1) it examines the Corporation's financial statements;

(2) it examines the Corporation's budget before it is submitted by the executive committee to the council and at the Corporation's annual meeting;

(3) it examines the financial statements of the sections of the Corporation and makes recommendations concerning them to the section council, the executive committee and the council;

(4) it verifies the Corporation's expenditures against administrative authorizations, the budget and the regulations of the Corporation, and makes recommendations and observations to the executive committee and the council concerning any discrepancies noted;

(5) it ensures the books of the Corporation are audited by independent auditors; and

(6) it monitors the performance of the Corporation's investment funds.

The audit committee may submit to the executive committee any observation or recommendation arising out of its functions.

§5. *Complaints examination committee*

21. The complaints examination committee is composed of five members. It is a decision-making committee and its decisions are made by a majority. The complaints examination committee has the following functions:

(1) it decides whether a complaint filed with it is admissible;

(2) it requests any document or information necessary to perform its functions; and

(3) it requests that the member who is the subject of the complaint be called by the Corporation before the committee on discipline or the qualification committee or that proceedings be instituted by the Corporation pursuant to section 28 of the Act.

22. A member of the committee on discipline, the appeals committee, the qualification committee or the review committee may not be appointed to the complaints examination committee.

§6. *Committee on discipline*

23. The committee on discipline is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, approved by Order in Council 64-2008 dated 31 January 2008.

Its decisions are made by a majority.

24. A member of the complaints examination committee or the appeals committee may not be appointed to the committee on discipline.

§7. Appeals committee

25. The appeals committee is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec.

Its decisions are made by a majority.

26. A member of the complaints examination committee or the committee on discipline may not be appointed to the appeals committee.

§8. Qualification committee

27. The qualification committee is composed of five members and may sit with three or five members.

It is a decision-making committee that hears any matter submitted to it involving a refusal to issue or renew an electrical contractor's licence or the suspension or cancellation of a licence, if the Corporation has entered into an agreement pursuant to paragraph 1 of section 9.1 of the Act.

Its decisions are made by a majority.

Sections 8, 12 to 19 and 25 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the qualification committee, with the necessary modifications.

28. A member of the complaints examination committee or the review committee may not be appointed to the qualification committee.

§9. Review committee

29. The review committee is composed of five members and may sit with three or five members.

It hears and decides every application for review of a decision of the qualification committee.

Its decisions are made by a majority.

Sections 12 to 19, 25 and 30 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the review committee, with the necessary modifications.

30. A member of the complaints examination committee or the qualification committee may not be appointed to the review committee.

DIVISION III
TRANSITIONAL AND FINAL

31. This Regulation replaces sections 52 to 78 and 101 to 102.2 of the Regulation of the Corporation of Master Electricians of Québec, made by the decision dated 10 March 1983.

However, a member of the Corporation may continue to use the title of electric heating specialist if the member has a permanent and full-time employee who holds an electric heating specialization certificate issued by the Institute for the improvement of the master electrician under section 69 of the Regulation of the Corporation of Master Electricians of Québec.

The holder of the certificate may not allow two members to use the title of electric heating specialist concurrently.

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

SCHEDULE I
(s. 13)

OATH OF DISCRETION

I, _____, declare under oath that I will not reveal or disclose, unless so authorized, anything of a confidential or privileged nature that may come to my knowledge in the performance of my functions.

Signed this _____ day of _____, 20__ .

8556

Gouvernement du Québec

O.C. 66-2008, 31 January 2008

Master Electricians Act
(R.S.Q., c. M-3)

**Corporation of Master Electricians of Québec
— Discipline of the members**

Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec

WHEREAS the Corporation of Master Electricians of Québec initiated in 2006 a process to revise the Regulation of the Corporation of Master Electricians of Québec which was made by a decision at its meeting of 10 March 1983;

WHEREAS, at the end of the process, the Corporation decided to replace the Regulation by 5 separate regulations;

WHEREAS, under section 12 of the Master Electricians Act (R.S.Q., c. M-3), the provincial council of administration of the Corporation on 20 October 2006 made the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec;

WHEREAS, under section 13 of that Act, the Regulation is to be submitted to the Government for approval;

WHEREAS, under section 13 of the Master Electricians Act and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, subpar. c and s. 20)

**DIVISION I
DEROGATORY ACTS**

1. In addition to the acts in section 20 of the Master Electricians Act (R.S.Q., c. M-3), a member who commits any of the following is guilty of an act derogatory to the honour of the trade of master electrician and is liable to the disciplinary measures in section 33:

(1) maliciously damaging the reputation of a colleague;

(2) filing a frivolous or clearly unfounded complaint against a colleague;

(3) being disloyal towards the Corporation of Master Electricians of Québec, maliciously damaging its reputation or speaking on its behalf without authorization;

(4) impairing the work of an employee of the Corporation in the performance of duties or insulting or intimidating an employee in any way;

(5) failing to reply to communications from the executive vice-president or a person designated by him or her, an investigator or a committee of the Corporation if they request information or explanations on any matter within the purview of the Act and regulations of the Corporation;

(6) using disloyal and dishonest practices to obtain information on a tender submitted by a colleague;

(7) using disloyal and dishonest practices to obtain a contract or to gain the favour of clients;

(8) finishing work stopped by a contractor that is a member of the Corporation for non-payment of bills owing;

(9) performing the work, or a part thereof, specified in the written contract of another member;

(10) entering into any type of agreement with any person for the purpose of obtaining contracts or clients, in particular by offering commissions or other benefits to intermediaries;

(11) misleading a client as to the cost and performance of a contract, in particular by

(a) providing the client with false information on the quality and quantity of materials used or the labour involved;

(b) deviating from the plans and specifications of a project; or

(c) overbilling a client in relation to the services rendered;

(12) defrauding an employee by illegally retaining the employee's wages;

(13) making a false statement in a document to be used for admission to the Corporation;

(14) failing to compensate a client who is a victim of fraud, embezzlement or misappropriation of funds on the part of the member or to reimburse the Corporation for any amount the Corporation pays as security to one of the member's clients;

(15) lending his or her name or licence to a person who is not a member of the Corporation so that the person may work as an electrical contractor;

(16) contravening the Act and its regulations;

(17) contravening a provision of a statute or regulation that applies to the activities carried on by the member in the construction industry or being convicted of an offence against any such statute or regulation;

(18) being convicted of a summary conviction offence relating to the member's activities in the construction industry;

(19) accepting money or any other actual or promised benefit for the member's contribution to the making of any decision detrimental to the Corporation;

(20) using in an advertisement or on a sign a title or name of a position that the member or the member's delegate holds or held in the Corporation; and

(21) failing to comply with a final judgment rendered by a court of justice following a breach of the member's professional responsibility.

2. In addition to the offences in section 24 of the Act, a member who contravenes a bidding rule arising from an agreement for the establishment of a bid depository pursuant to section 24 of the Act is guilty of an act

derogatory to the honour of the trade of master electrician and is liable to the disciplinary measures in section 33.

DIVISION II **PROCESSING OF COMPLAINTS**

3. Complaints received by the Corporation and the resulting investigation reports are submitted for examination to the complaints examination committee established under the Regulation respecting the committees of the Corporation of Master Electricians of Québec, approved by Order in Council 65-2008 dated 31 January 2008.

4. An inadmissible complaint is rejected and the complainant is so informed in writing.

5. If the complaints examination committee concludes that a complaint is admissible, it requests that the member complained of be called by the Corporation before the committee on discipline or the qualifications committee, or that proceedings be instituted by the Corporation against the member under section 28 of the Act.

6. A notice of hearing stating the date, time and place of the hearing and the alleged acts giving rise to the complaint must be served on the member complained of at least 10 days before the date set for the hearing.

The document setting out the alleged acts may be amended at any time. An amendment that would entail an entirely new alleged act may not be authorized, except with the consent of the parties.

7. A member called before a committee by the Corporation may, not later than five clear days before the hearing, request complete disclosure of the evidence in the Corporation's possession.

8. Only one postponement may be requested, for a serious reason. The request must be made in writing to the Corporation not later than one clear day before the hearing.

No later request for postponement may be considered, unless exceptional circumstances arise that are set out in writing and submitted not later than one clear day before the hearing.

9. If the committee on discipline considers that an offence against a bidding rule arising from an agreement for the establishment of a bid depository pursuant to section 24 of the Act appears founded and is not of a serious nature, the committee may send a letter of warning to the member complained of, without a prior hearing.

10. If the member considers that the letter of warning is not warranted, the member may make a written request to the Corporation for a hearing by the committee on discipline within 30 days of the date on which the letter was sent. The member is then heard at the next sitting of the committee on discipline after receipt of the request, provided a notice of hearing can be given at least 10 clear days before the sitting.

11. No penalty other than the letter of warning may be imposed on a member if the member has not been called to appear before the committee on discipline.

DIVISION III HEARING

12. The sittings of the committee on discipline are held at the head office of the Corporation, or are held elsewhere if the committee considers it preferable in the circumstances.

13. The chair of the committee on discipline is master of the hearing.

14. A member called before the committee may appear in person or be represented by an advocate.

15. The parties may call witnesses and make their representations. They must answer the questions the committee considers appropriate.

A member called before the committee may request the Corporation to summon the member's witnesses. The member must pay in advance to the Corporation the travel expenses and summons costs payable under the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice (R.R.Q., 1981, c. C-25, r.2). The member must reimburse the Corporation for any excess amount it disburses.

16. The hearing is recorded by mechanical means or taken down by an official stenographer.

17. If a member duly called before the committee on discipline fails to appear or to plead, the committee on discipline may proceed with the hearing in the member's absence.

18. Documents produced during a hearing of the committee on discipline are confidential. They may not be removed from the record before the expiry of the appeal period or before a decision by the appeals committee, except with the written consent of the parties. Documents that are not retrieved by the parties are destroyed one year after the date of the final decision in the matter.

DIVISION IV DECISIONS

19. The committee on discipline, after deliberating, renders a decision, with reasons in writing, signed by the chair or alternate chair, as the case may be.

20. A member found guilty following failure to appear may request that the decision of the committee on discipline be withdrawn if the member could not attend the hearing for a serious reason, such as

- (1) no notice of hearing was served on the member;
- (2) illness; or
- (3) an event of irresistible force.

21. A request for withdrawal of the decision must be made in writing to the Corporation within 15 days of the date on which the decision was sent by the committee on discipline.

The request is heard at the next sitting of the committee following its receipt, provided a notice of hearing can be given at least 10 clear days before the sitting.

22. At the withdrawal hearing, the member must prove the reasons that prevented the member from appearing. If the withdrawal request is granted, the committee on discipline may proceed with the hearing immediately or postpone it to a later date.

23. The decision of the committee on discipline becomes binding on the expiry of the appeal period.

24. The appeals committee hears any appeal made from a decision by the committee on discipline.

25. The costs for transcribing the recording or the stenographer's notes of the hearing before the committee on discipline is borne by the person who requested the recording or stenographer's services.

26. A party may file a notice of appeal in writing with the Corporation within 30 days of the date on which the decision of the committee on discipline was sent.

27. A notice of appeal must state the name and address of the appellant, the decision or part thereof appealed from and the reasons for the appeal, and be accompanied by a certified cheque or money order made out to the Corporation in the amount of \$300.

That amount is adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 May of the preceding year. The adjusted amount is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

If the decision is changed in favour of the appellant, the costs of the appeal are reimbursed to the appellant.

28. A notice indicating the date, time and place of the hearing must be served on the appellant at least 10 days before the date set for the hearing.

29. Each party may send the Corporation a statement of allegations, not later than five days before the appeal hearing.

30. The record of first instance, the notice of appeal and the statement of allegations of the parties are the only documents produced in the appeal. If it considers it appropriate, the appeals committee may, however, authorize the filing of additional documents.

31. No witness may be heard on appeal, unless the appeals committee so authorizes.

32. The appeals committee may dismiss the appeal, grant it or make the decision it believes should have been made by the committee on discipline.

The decision of the appeals committee becomes binding on the date on which it is sent.

33. The disciplinary measures that the committee on discipline or the appeals committee may impose on a member found guilty of an offence against the Act or this Regulation are

(1) a letter of warning;

(2) a reprimand in the form of a letter signed by the chair of the committee or a member of the committee acting in that capacity; and

(3) a fine of not less than \$200 nor more than \$6,000 for each offence committed.

The name of the member found guilty, the nature of the offence and the penalty imposed are sent to all members of the Corporation, by any means the Corporation considers appropriate.

34. In addition to the disciplinary measures in the first paragraph of section 33, the committee on discipline or the appeals committee may recommend to any body authorized to issue construction contractor's licences, including the Corporation, the suspension or cancellation of the licence if the committee considers that the licence holder's conduct so warrants.

The Corporation must then send the record and recommendation to the body that issued the licence, so that the body may make a decision following the recommendation.

35. The identity of the person who filed a complaint against a member of the Corporation must be kept confidential at all times.

36. Sections 12 to 14 and 17 to 19 apply to the appeals committee, with the necessary modifications.

DIVISION V TRANSITIONAL AND FINAL

37. This Regulation applies to matters pending on the date of its coming into force.

38. This Regulation replaces sections 79 to 86, 88 to 100, 153 and 155 of the Regulation of the Corporation of Master Electricians of Québec, made by the decision dated 10 March 1983.

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

8557

Gouvernement du Québec

O.C. 68-2008, 31 January 2008

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Cartage industry – Québec — Amendments

Decree to amend the Decree respecting the cartage industry in the Québec region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree to amend the Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7);

WHEREAS, under section 6.1 of the Act, the contracting parties to the Decree have petitioned the Minister of Labour for amendments to be made to the Decree;

WHEREAS, under section 2 and 6.1 of the Act, the Government may amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, under sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amending draft Decree was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2007 and, on that same date, in a French-language newspaper and an English-language newspaper, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS no comment was made on the draft Decree;

WHEREAS it is expedient to make the draft Decree with amendments;

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

THAT the Decree to amend the Decree respecting the cartage industry in the Québec region, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree amending the Decree respecting the cartage industry in the Québec region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. Section 1.01 of the Decree respecting the cartage industry in the Québec region is amended:

(1) by replacing paragraph 4 by the following:

“(4) “driver, class A”: driver of a road vehicle that has a net weight of less than 3,000 kg;

“(4.1) “driver, class B”: driver of a road vehicle that has a net weight of 3,000 kg to 4,500 kg;

(2) by replacing paragraph 6 by the following:

“(6) “truck driver”: driver of a road vehicle that has a net weight in excess of 4,500 kg;”.

2. Section 2.01 is amended by replacing the word “municipalities” by the words “the place”.

3. Section 4.01 is amended by striking out the words “secretaries or shorthand typists and” in the second paragraph.

4. The Decree is amended by adding the following after section 5.04:

“**5.05.** For the purposes of computing overtime, annual leave and statutory general holidays are counted as days of work.”.

* The Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7) was last amended by the Regulation made by Order in Council No. 83-2006 dated 14 February 2006 (2006, *G.O.* 2, 1042). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2007, updated to 1 September 2007.

5. Sections 7.01 and 7.02 are replaced by the following:

“**7.01.** The following minimum hourly rate is effective as of 13 february 2008, for each of the employment categories determined below:

Employment Category	Hiring Rate	After 3 Months	After 6 Months	After 12 Months	After 18 Months	After 24 Months
(1) helper	\$9.00	\$9.30	\$9.60	\$10.00	\$10.50	\$11.00
(2) labourer	\$9.00	\$9.30	\$9.60	\$10.00	\$10.50	\$11.00
(3) assistant-mechanic	\$11.00	\$11.50	\$12.00	\$12.50	\$13.00	\$13.50
(4) driver, Class A	\$10.50	\$11.00	\$11.50	\$12.00	\$12.50	\$13.00
(4.1) driver, Class B	\$11.00	\$11.50	\$12.00	\$12.50	\$13.00	\$13.50
(5) road-train driver	\$13.00	\$13.50	\$14.00	\$14.50	\$15.00	\$15.50
(6) truck driver	\$11.50	\$12.00	\$12.50	\$13.00	\$13.50	\$14.00
(7) tractor semi-trailer driver	\$12.00	\$12.50	\$13.00	\$13.50	\$14.00	\$14.50
(8) tank-truck driver	\$12.00	\$12.50	\$13.00	\$13.50	\$14.00	\$14.50
(9) tank-trailer driver	\$13.50	\$14.00	\$14.50	\$15.00	\$15.50	\$16.00
(10) float driver	\$12.50	\$13.00	\$13.50	\$14.00	\$14.50	\$15.00
(11) loading machinery operator	\$11.00	\$11.40	\$11.80	\$12.20	\$12.60	\$13.00
(12) dockman	\$9.00	\$9.30	\$9.60	\$10.00	\$10.50	\$11.00
(13) mechanic	\$14.00	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50
(14) packer	\$9.00	\$9.30	\$9.60	\$10.00	\$10.50	\$11.00
(15) snow removal vehicle driver	\$13.00	\$13.50	\$14.00	\$14.50	\$15.00	\$15.50
(16) welder	\$14.00	\$14.50	\$15.00	\$15.50	\$16.00	\$16.50 .

7.02. The minimum weekly rate for office clerks is the following as of 13 february 2008:

Hiring Rate	After 6 Months	After 12 Months	After 18 Months	After 24 Months
\$10.00	\$10.75	\$11.50	\$12.25	\$13.00.”.

6. Section 7.03 is amended by replacing paragraph 2 by the following:

“(2) a driver shall receive for each kilometre travelled, as of 13 february 2008:

Hiring Rate	After 6 Months	After 12 Months	After 18 Months	After 24 Months
\$0.16	\$0.17	\$0.18	\$0.19	\$0.20.”.

7. Section 14.01 is amended by replacing the words “municipalities mentioned “by the words “the places listed”.

8. The Decree is amended by adding the following after section 16.02:

“**16.03.** For the purposes of computing overtime, annual leave and statutory general holidays are counted as days of work.”.

9. Section 18.03 is replaced by the following:

“**18.03.** An employee who regularly works between 6 p.m. and 6 a.m. shall receive a premium of \$0.25 per hour in addition to his regular wage for each hour of his standard workday included between 6 p.m. and 6 a.m., except when he receives an increase for the overtime worked.”.

10. Schedules 1 and 2 are replaced by the following:

“SCHEDULE I

(s. 2.01)

RÉGION 03 – CAPITALE-NATIONALE

Québec, L’Ancienne-Lorette, Saint-Augustin-de-Desmaures

Municipalité régionale de comté de Charlevoix

Baie-Saint-Paul, Les Éboulements, Petite-Rivière-Saint-François, L’Isle-aux-Coudres, Saint-Hilarion, Saint-Urbain.

Municipalité régionale de comté de Charlevoix-Est

Baie-Sainte-Catherine, Clermont, La Malbaie, Notre-Dame-des-Monts, Saint-Aimé-des-Lacs, Saint-Irénée, Saint-Siméon.

Municipalité régionale de comté de L’Île-d’Orléans

Sainte-Famille, Sainte-Pétronille, Saint-François-de-l’Île-d’Orléans, Saint-Jean-de-l’Île-d’Orléans, Saint-Laurant-de-l’Île-d’Orléans, Saint-Pierre-de-l’Île-d’Orléans.

Municipalité régionale de comté de La Côte-de-Beaupré

Beaupré, Château-Richer, L’Ange-Gardien, Sainte-Anne-de-Beaupré, Saint-Ferréol-les-Neiges, Boischatel, Saint-Joachim, Saint-Louis-de-Gonzague-du-Cap-Tourmente, Saint-Tite-des-Caps.

Municipalité régionale de comté de La Jacques-Cartier

Fossambault-sur-le-Lac, Lac-Beauport, Lac-Delage, Lac-Saint-Joseph, Sainte-Brigitte-de-Laval, Sainte-Catherine-de-la-Jacques-Cartier, Saint-Gabriel-de-Valcartier, Shannon, Stoneham-et-Tewkesbury.

Municipalité régionale de comté de Portneuf

Cap-Santé, Deschambault-Grondines, Donnacona, Lac-Sergent, Neuville, Pont-Rouge, Portneuf, Rivière-à-Pierre, Saint-Alban, Saint-Basile, Saint-Casimir, Sainte-Christine-d’Auvergne, Saint-Gilbert, Saint-Léonard-de-Portneuf, Saint-Marc-des-Carières, Saint-Raymond, Saint-Thuribe, Saint-Ubalde.

RÉGION 12 – CHAUDIÈRE-APPALACHES

Lévis

Municipalité régionale de comté de Bellechasse

Armagh, Beaumont, Honfleur, La Durantaye, Notre-Dame-Auxiliatrice-de-Buckland, Sainte-Claire, Saint-Anselme, Saint-Charles-de-Bellechasse, Saint-Damien-de-Buckland, Saint-Gervais, Saint-Henri, Saint-Lazare-de-Bellechasse, Saint-Léon-de-Standon, Saint-Malachie, Saint-Michel-de-Bellechasse, Saint-Nazaire-de-Dorchester, Saint-Nérée, Saint-Philémon, Saint-Raphaël, Saint-Vallier.

Municipalité régionale de comté de L’Islet

L’Islet, Saint-Adalbert, Saint-Aubert, Saint-Cyrille-de-Lessard, Saint-Damasc-de-L’Islet, Sainte-Félicité, Sainte-Louise, Sainte-Perpétue, Saint-Jean-Port-Joli, Saint-Marcel, Saint-Omer, Saint-Pamphile, Saint-Roch-des-Aulnaies, Tourville.

Municipalité régionale de comté de La Nouvelle Beauce

Saint-Bernard, Frampton, Sainte-Hénédine, Saint-Elzéar, Saint-Lambert-de-Lauzon, Sainte-Marguerite, Sainte-Marie, Saint-Isidore, Saints-Anges, Scott, Val-ée-Jonction.

Municipalité régionale de comté de Lotbinière

Laurier-Station, Leclercville, Lotbinière, Notre-Dame-du-Sacré-Coeur-d’Issoudun, Saint-Agapit, Saint-Antoine-de-Tilly, Saint-Apollinaire, Sainte-Agathe-de-Lotbinière, Sainte-Croix, Saint-Édouard-de-Lotbinière, Saint-Flavien, Saint-Gilles, Saint-Janvier-de-Joly, Saint-Narcisse-de-Beaurivage, Dosquet, Saint-Patrice-de-Beaurivage, Saint-Sylvestre, Val-Alain.

Municipalité régionale de comté de Montmagny

Berthier-sur-Mer, Cap-Saint-Ignace, Lac-Frontière, Montmagny, Notre-Dame-du-Rosaire, Saint-Antoine-de-l’Isle-aux-Grues, Sainte-Apolline-de-Patton, Sainte-Euphémie-sur-Rivière-du-Sud, Sainte-Lucie-de-Beaugard, Saint-Fabien-de-Panet, Saint-François-de-la-Rivière-du-Sud, Saint-Just-de-Bretenières, Saint-Paul-de-Montminy, Saint-Pierre-de-la-Rivière-du-Sud.

SCHEDULE II

(s. 14.01)

RÉGION 01 – BAS-SAINT-LAURENT**Municipalité régionale de comté de Kamouraska**

Kamouraska, La Pocatière, Mont-Carmel, Rivière-Ouelle, Saint-Alexandre-de-Kamouraska, Saint-André, Saint-Bruno-de-Kamouraska, Saint-Denis, Sainte-Anne-de-la-Pocatière, Sainte-Hélène, Saint-Gabriel-Lalemant, Saint-Germain, Saint-Joseph-de-Kamouraska, Saint-Onésime-d'Ixworth, Saint-Pacôme, Saint-Pascal, Saint-Philippe-de-Néri.

Municipalité régionale de comté de Les Basques

Notre-Dame-des-Neiges, Saint-Clément, Sainte-Françoise, Saint-Éloi, Sainte-Rita, Saint-Guy, Saint-Jean-de-Dieu, Saint-Mathieu-de-Rioux, Saint-Médard, Saint-Simon, Trois-Pistoles.

Municipalité régionale de comté de Rimouski-Neigette

Esprit-Saint, La Trinité-des-Monts, Le Bic, Rimouski, Saint-Anaclet-de-Lessard, Saint-Eugène-de-Ladrière, Saint-Fabien, Saint-Marcellin, Saint-Narcisse-de-Rimouski, Saint-Valérien.

Municipalité régionale de comté de Rivière-du-Loup

L'Isle-Verte, Notre-Dame-des-Sept-Douleurs, Notre-Dame-du-Portage, Rivière-du-Loup, Saint-Antonin, Saint-Arsène, Saint-Cyprien, Saint-Épiphane, Saint-François-Xavier-de-Viger, Cacouna, Saint-Hubert-de-Rivière-du-Loup, Saint-Modeste, Saint-Paul-de-la-Croix.

Municipalité régionale de comté de Témiscouata

Auclair, Biencourt, Cabano, Dégelis, Lac-des-Aigles, Notre-Dame-du-Lac, Packington, Pohénégamook, Rivière-Bleue, Saint-Athanase, Saint-Elzéar-de-Témiscouata, Saint-Eusèbe, Lejeune, Saint-Honoré-de-Témiscouata, Saint-Jean-de-la-Lande, Saint-Juste-du-Lac, Saint-Louis-du-Ha ! Ha !, Saint-Marc-du-Lac-Long, Saint-Michel-du-Squatec, Saint-Pierre-de-Lamy.

RÉGION 02 – SAGUENAY - LAC-SAINT-JEAN**Saguenay****Municipalité régionale de comté de Lac-Saint-Jean-Est**

Alma, Desbiens, Hébertville, Hébertville-Station, Labrecque, Lamarche, L'Ascension-de-Notre-Seigneur, Métabetchouan-Lac-à-la-Croix, Saint-Bruno, Sainte-Monique, Saint-Gédéon, Saint-Henri-de-Taillon, Saint-Ludger-de-Milot, Saint-Nazaire.

Municipalité régionale de comté de Le Domaine-du-Roy

Chambord, Lac-Bouchette, La Doré, Roberval, Saint-André-du-Lac-Saint-Jean, Sainte-Hedwidge, Saint-Félicien, Saint-François-de-Sales, Saint-Prime.

Municipalité régionale de comté de Le Fjord-du-Saguenay

Bégin, Ferland-et-Boileau, L'Anse-Saint-Jean, Larouche, Petit-Saguenay, Rivière-Éternité, Saint-Ambroise, Saint-Charles-de-Bourget, Saint-David-de-Falardeau, Sainte-Rose-du-Nord, Saint-Félix-d'Otis, Saint-Fulgence, Saint-Honoré.

Municipalité régionale de comté de Maria-Chapdelaine

Albanel, Dolbeau-Mistassini, Girardville, Normandin, Notre-Dame-de-Lorette, Péribonka, Saint-Augustin, Saint-Edmond-les-Plaines, Sainte-Jeanne-d'Arc, Saint-Eugène-d'Argentenay, Saint-Stanislas, Saint-Thomas-Didyme.

RÉGION 03 – CAPITALE-NATIONALE**Québec, L'Ancienne-Lorette, Saint-Augustin-de-Desmaures****Municipalité régionale de comté de L'Île-d'Orléans**

Sainte-Famille, Sainte-Pétronille, Saint-François-de-l'Île-d'Orléans, Saint-Jean-de-l'Île-d'Orléans, Saint-Laurent-de-l'Île-d'Orléans, Saint-Pierre-de-l'Île-d'Orléans.

Municipalité régionale de comté de La Côte-de-Beaupré

Beaupré, Château-Richer, L'Ange-Gardien, Sainte-Anne-de-Beaupré, Saint-Ferréol-les-Neiges, Boischatel, Saint-Joachim, Saint-Louis-de-Gonzague-du-Cap-Tourmente, Saint-Tite-des-Caps.

Municipalité régionale de comté de La Jacques-Cartier

Fossambault-sur-le-Lac, Lac-Beauport, Lac-Delage, Lac-Saint-Joseph, Sainte-Brigitte-de-Laval, Sainte-Catherine-de-la-Jacques-Cartier, Saint-Gabriel-de-Valcartier, Shannon, Stoneham-et-Tewkesbury.

Municipalité régionale de comté de Portneuf

Cap-Santé, Deschambault-Grondines, Donnacona, Lac-Sergent, Neuville, Pont-Rouge, Portneuf, Rivière-à-Pierre, Saint-Alban, Saint-Basile, Saint-Casimir, Sainte-Christine-d'Auvergne, Saint-Gilbert, Saint-Léonard-de-Portneuf, Saint-Marc-des-Carrières, Saint-Raymond, Saint-Thuribe, Saint-Ubalde.

RÉGION 12 – CHAUDIÈRE-APPALACHES

Lévis

Municipalité régionale de comté de Beauce-Sartigan

Lac-Poulin, La Guadeloupe, Notre-Dame-des-Pins, Saint-Benoît-Labre, Saint-Côme-Linière, Saint-Éphrem-de-Beauce, Saint-Évariste-de-Forsyth, Saint-Gédéon-de-Beauce, Saint-Georges, Saint-Hilaire-de-Dorset, Saint-Honoré-de-Shenley, Saint-Martin, Saint-Philibert, Saint-René, Saint-Simon-les-Mines, Saint-Théophile.

Municipalité régionale de comté de Bellechasse

Armagh, Beaumont, Honfleur, La Durantaye, Notre-Dame-Auxiliatrice-de-Buckland, Sainte-Claire, Saint-Anselme, Saint-Charles-de-Bellechasse, Saint-Damien-de-Buckland, Saint-Gervais, Saint-Henri, Saint-Lazare-de-Bellechasse, Saint-Léon-de-Standon, Saint-Malachie, Saint-Michel-de-Bellechasse, Saint-Nazaire-de-Dorchester, Saint-Nérée, Saint-Philémon, Saint-Raphaël, Saint-Vallier.

Municipalité régionale de comté de L'Amiante

Adstock, Beaulac-Garthby, ville de Disraéli, paroisse de Disraéli, East-Broughton, Irlande, Kinnear's Mills, Sacré-Coeur-de-Jésus, Saint-Adrien-d'Irlande, Sainte-Clotilde-de-Beauce, Sainte-Praxède, Saint-Fortunat, Saint-Jacques-de-Leeds, Saint-Jacques-le-Majeur-de-Wolfestown, Saint-Jean-de-Brébeuf, Saint-Joseph-de-Coleraïne, Saint-Julien, Saint-Pierre-de-Broughton, Thetford-Mines.

Municipalité régionale de comté de L'Islet

L'Islet, Saint-Adalbert, Saint-Aubert, Saint-Cyrille-de-Lessard, Saint-Damase-de-L'Islet, Sainte-Félicité, Sainte-Louise, Sainte-Perpétue, Saint-Jean-Port-Joli, Saint-Marcel, Saint-Omer, Saint-Pamphile, Saint-Roch-des-Aulnaies, Tourville.

Municipalité régionale de comté de La Nouvelle-Beauce

Saint-Bernard, Frampton, Sainte-Hénédine, Saint-Elzéar, Saint-Lambert-de-Lauzon, Sainte-Marguerite, Sainte-Marie, Saint-Isidore, Saints-Anges, Scott, Vallée-Jonction.

Municipalité régionale de comté des Etchemins

Lac-Etchemin, Saint-Benjamin, Saint-Camille-de-Lellis, Saint-Cyprien, Sainte-Aurélie, Sainte-Justine, Saint-Magloire, Sainte-Rose-de-Watford, Sainte-Sabine, Saint-Louis-de-Gonzague, Saint-Luc-de-Bellechasse, Saint-Prosper, Saint-Zacharie.

Municipalité régionale de comté de Lotbinière

Laurier-Station, Leclercville, Lotbinière, Notre-Dame-du-Sacré-Coeur-d'Issoudun, Saint-Agapit, Saint-Antoine-de-Tilly, Saint-Apollinaire, Sainte-Agathe-de-Lotbinière, Sainte-Croix, Saint-Édouard-de-Lotbinière, Saint-Flavien, Saint-Gilles, Saint-Janvier-de-Joly, Saint-Narcisse-de-Beaurivage, Dosquet, Saint-Patrice-de-Beaurivage, Saint-Sylvestre, Val-Alain.

Municipalité régionale de comté de Montmagny

Berthier-sur-Mer, Cap-Saint-Ignace, Lac-Frontière, Montmagny, Notre-Dame-du-Rosaire, Saint-Antoine-de-l'Isle-aux-Grues, Sainte-Apolline-de-Patton, Sainte-Euphémie-sur-Rivière-du-Sud, Sainte-Lucie-de-Beauregard, Saint-Fabien-de-Panet, Saint-François-de-la-Rivière-du-Sud, Saint-Just-de-Bretenières, Saint-Paul-de-Montminy, Saint-Pierre-de-la-Rivière-du-Sud.

Municipalité régionale de comté de Robert-Cliche

Beauceville, Saint-Alfred, Saint-Frédéric, Saint-Joseph-de-Beauce, Saint-Joseph-des-Érables, Saint-Jules, Saint-Odilon-de-Cranbourne, Saint-Séverin, Saint-Victor, Tring-Jonction.”.

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

Draft Regulations

Draft Regulation

Animal Health Protection Act
(R.S.Q., c. P-42)

Designation of a contagious disease and an infectious agent, and the confinement of captive birds

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 designation of a contagious disease and an infectious agent, and the confinement of captive birds, appearing below, may be made by the Minister of Agriculture, Fisheries and Food on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to change the sanitary conditions applicable to places where birds are kept in captivity to adapt them to the current level of risk of having the Asian avian influenza virus introduced into Québec. It contains certain provisions intended to strengthen the conditions if the Minister considers that the risk of having the virus introduced into Québec is high, in particular because of the presence of a highly pathogenic avian influenza virus among Québec birdlife or the presence of the H5N1 Asian strain in the Atlantic, Mississippi, Pacific or Central migration corridors.

Study of the matter has shown no significant financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Dr. Isabelle McKenzie, Institut national de santé animale, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100; fax: 418 380-2169.

Any person wishing to comment on the matter is requested to submit written comments to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6, within the 45-day period.

LAURENT LESSARD,
*Minister of Agriculture, Fisheries
and Food*

Regulation to amend the Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds*

Animal Health Protection Act
(R.S.Q., c. P-42, s. 3, par. 3)

1. The Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds is amended by replacing the title by the following: "Regulation respecting the designation of a contagious disease and an infectious agent, and the sanitary conditions applicable to places where birds are kept in captivity".

2. Sections 3 to 8 are replaced by the following:

"3. An owner or custodian of birds may not keep birds and migrating waterfowl at the same municipal address at the same time.

For the purposes of this Regulation, "migrating waterfowl" means ducks, swans and wild geese.

4. An owner or custodian of birds must keep the birds in a building or fenced area at all times so that they cannot escape.

Despite the foregoing, in the case of waterfowl kept for recreational purposes on a body of water, the body of water is not required to be fenced.

5. An owner or custodian of birds must feed and water the birds inside a building or use feeders and water fountains that are protected in such a manner that migrating waterfowl cannot have access to them or soil them.

6. No person may use surface water to clean the premises, buildings or stock-raising material or to water the birds, unless the water has been treated to inactivate a possible virus identified in paragraph 1 of section 1.

* The Regulation respecting the designation of a contagious disease and an infectious agent, and the confinement of captive birds, made by Order 2005-01 of the Minister of Agriculture, Fisheries and Food dated 3 November 2005 (2005, *G.O.* 2, 4729A), has not been amended since it was made.

7. Despite section 4, as of (*insert the date of coming into force of this section*), every owner or custodian of birds must

(1) confine or keep the birds inside a facility laid out in a manner that prevents direct contact between the birds and migrating waterfowl;

(2) inform the Minister without delay of the death of any bird having access to the outdoors that does not result from slaughtering or an injury; and

(3) refrain from organizing or participating in any gathering of birds, including fairs, exhibitions or competitions.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 7 introduced by section 2, which comes into force on the date determined by the Minister of Agriculture, Fisheries and Food.

8559

Draft Regulation

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

Specialized medical centre permit — Fees payable of the issue or renewal

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 fees payable for the issue or renewal of a specialized medical centre permit, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation fixes the fees payable for the issue or renewal of a specialized medical centre permit.

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

Further information may be obtained by contacting Suzanne Jean, 1005, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1S 4N4; telephone: 418 266-5964; fax: 418 266-5958; e-mail : suzanne.jean@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within 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 the fees payable for the issue or renewal of a specialized medical centre permit

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 505, par. 21.1; 2006, c. 43, s. 31)

1. The fees payable for the issue or renewal of a specialized medical centre permit are fixed at \$5,000. Despite the foregoing, if the permit indicates a number of beds that may be used for accommodation of the centre’s clientele, the amount is increased to \$10,000.

2. Beginning on 1 January 2009, the fees payable under section 1 are adjusted on 1 January of each year based on the percentage change, in relation to the preceding year, in the Consumer Price Index for Canada, as published by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19). For that purpose, the Consumer Price Index for a year is the annual average calculated from the monthly indexes for the 12-month period ending on 30 September of the preceding year.

If the amounts obtained contain a fraction of a dollar, that fraction is cancelled. The amount is then rounded down to the nearest ten dollars if the last figure is lower than 5, or rounded up to the nearest ten dollars in all other cases.

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

8546

Draft Regulation

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

Pension Plans Review Committee — Repeal of the Rules of proof and procedure

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 repeal the Rules of proof and procedure of the Pension Plans Review Committee, made by the Régie des rentes du Québec, the text of which appears below, may be approved by the government upon the expiry of 45 days following this publication.

The Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) abolished as of 13 December 2006 the review of decisions and orders made by the Régie. From now on, the Supplemental Pension Plans Act (section 243) provides that a person concerned may contest a decision or order of the Régie directly before the Administrative Tribunal of Québec.

In addition, the Pension Plans Review Committee was abolished on 1 April 1998. The rules had remained in effect for review files that had been referred to the committee prior to 1 April 1998.

To date, study of the file does not reveal any impact on individuals, companies and especially small businesses.

Further information may be obtained from Mr. Louis-Marc Laliberté, Régie des rentes du Québec, Place de la Cité, 2600 boulevard Laurier, Québec (Québec) G1V 4T3; tel.: 418 657-8702 ext. 3029; fax: 418 643-9590; e-mail: louis-marc.laliberte.@rrq.gouv.qc.ca.

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

SAM HAMAD,
*Minister of Employment and
Social Solidarity*

Regulation to repeal the Rules of proof and procedure of the Pension Plans Review Committee*

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 244, 1st par., subpar. 13)

1. The Rules of proof and procedure of the Pension Plans Review Committee are repealed.

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

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* The Rules of proof and procedure of the Pension Plans Review Committee, approved by Order in Council 267-96 dated 28 February 1996 (1996, *G.O.* 2, 1528), have not been amended since they were approved.

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

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