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**2**

**No. 9**

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**Laws and Regulations**

Volume 140

**Summary**

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**PROVINCE OF QUÉBEC**

1ST SESSION

38TH LEGISLATURE

QUÉBEC, 12 FEBRUARY 2008

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## OFFICE OF THE LIEUTENANT-GOVERNOR

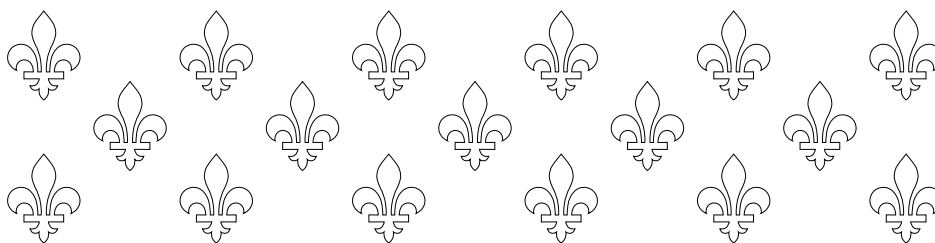
*Québec, 12 February 2008*

This day, at seventeen minutes past two o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

197 An Act to proclaim the International Day of Peace

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 197  
(2008, chapter 1)

## **An Act to proclaim the International Day of Peace**

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**Introduced 13 November 2007**  
**Passed in principle 19 December 2007**  
**Passed 19 December 2007**  
**Assented to 12 February 2008**

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**Québec Official Publisher  
2008**

**EXPLANATORY NOTES**

*The object of this bill is to proclaim 21 September of each year as the International Day of Peace.*



## **Bill 197**

### **AN ACT TO PROCLAIM THE INTERNATIONAL DAY OF PEACE**

AS armed conflicts begin in the minds of human beings and it is in the minds of human beings that awareness of the need for peace must be heightened;

AS establishing a dialogue between cultures and civilizations and building greater solidarity among nations are of a nature to alleviate tensions and avert conflicts;

AS proclaiming and observing the International Day of Peace is conducive to strengthening the ideals of peace and solidarity;

AS countries and peoples across the world have recognized the importance of ensuring that the principle of peaceful resolution of international disputes is respected;

AS the General Assembly of the United Nations has decided that the International Day of Peace is to be observed on 21 September each year;

AS Québec is determined to play an active role, particularly within the French-speaking world, in preventing crises and conflicts in order to contribute to the maintenance of peace and international security;

#### **THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:**

**1.** The twenty-first day of September is proclaimed as the International Day of Peace.

**2.** This Act comes into force on 12 February 2008.



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## Regulations and other acts

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Gouvernement du Québec

### **O.C. 103-2008, 13 February 2008**

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

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

##### **— Amendments**

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

WHEREAS, under the first paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the Government may, by regulation and to the extent and on the conditions it determines, exempt any immovable of the government of another Canadian province, of a foreign government or of an international body from municipal or school property taxes or exempt such a government or body from any municipal or school property taxes it would be required to pay under section 208 or from any other tax or municipal compensation, and prescribe, as a condition for exemption, that the government or body, or the immovable of which it is the owner or occupant, be recognized by the Minister of International Relations, and that such recognition may have retroactive effect from the date fixed by the Minister and be limited according to the nature of the activities carried on in the immovable by the government or body;

WHEREAS, under the second paragraph of section 210 of the Act respecting municipal taxation, the Gouvernement du Québec may also, to the extent and on the conditions it determines, undertake to pay to the local municipality or school board an amount to stand in lieu of any tax or compensation from which the immovable, a government or body is thus exempted;

WHEREAS, under section 105 of chapter 76 of the Statutes of 1988, any regulation made under section 210 of the Act respecting municipal taxation may have retroactive effect as of 1 January 1986;

WHEREAS the Government made the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies;

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 of the Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies was published in the *Gazette officielle du Québec* of 24 October 2007 on pages 2898 and 2899 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any interested person could submit written comments to the Minister of Municipal Affairs and Regions within the 45-day period;

WHEREAS no comments on the draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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

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

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

### “§1. Interpretation

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

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

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

“Minister” means the Minister of International Relations;

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

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

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

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

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

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

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

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Gouvernement du Québec

## O.C. 119-2008, 13 February 2008

An Act respecting occupational health and safety  
(R.S.Q., c. S-2.1)

### Safety Code for the construction industry Occupational health and safety — Amendments

Regulation to amend the Safety Code for the construction industry and the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 1, 7, 14, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters mentioned therein;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply. The regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety, a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 July 2005 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of the 45-day period;

WHEREAS the Commission made, with amendments, the Regulation to amend the Safety Code for the construction industry and the Regulation respecting occupational health and safety at its sitting of 21 June 2007;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Safety Code for the construction industry and the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Safety Code for the construction industry\* and the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 233, 1st par., subpars. 1, 7, 14, 19 and 42, 2nd and 3rd pars.)

**1.** The Safety Code for the construction industry is amended in section 1.1

(1) by inserting the following after paragraph 14:

“(14.1) “pump jack scaffold”: a mast-climbing work platform that moves between two masts with the help of jacks;

(14.2) “mast-climbing work platform”: scaffolding constituted of a work platform that moves up and down between two or several masts with the help of a hoisting system and equipped with an anchoring system;

(14.3) “winch scaffolding”: a mast-climbing work platform whose masts are linked by braces or counter braces supporting a work platform that moves with the help of a hoisting device constituted of winches, pulleys and cables;”;

(2) by inserting the following after paragraph 15:

“(15.01) “motorized scaffolding”: a mast-climbing work platform constituted of a hoisting system made up of an electric, pneumatic or hydraulic motor or a natural gas or gasoline engine.”.

**2.** The Code is amended

(1) by replacing the title of subdivision 2.2 by the following:

“Responsibility and powers of inspectors”;

(2) by adding the following after section 2.2.5:

“**2.2.6.** To ascertain the soundness of a construction or installation, the inspector may require an attestation to that effect signed and sealed by an engineer or an architect.”.

**3.** Section 2.4.1 is amended

(1) by replacing “in subsection 1” in subsection 2 by “hereunder”;

(2) by adding the following after subparagraph *l*:

“(m) any mast-climbing work platform that must be anchored, except in the case of a pump jack scaffold.”.

**4.** Section 3.3.5 is revoked.

**5.** Section 3.9.5 is amended

(1) by replacing “Uprights” in paragraph 1 by “Scaffolding uprights”;

(2) by inserting the following after paragraph 1:

“(1.1) When scaffolding uprights rest on uneven ground, a safe and efficient means, such as screw jacks, must be used to ensure the plumbness of the scaffolding.

The use of construction waste material to fill the unevenness in the ground is prohibited.”.

**6.** Section 3.9.8 is amended by adding the following after paragraph 5:

“(6) have a slope of less than 1:5 (11 degrees from the horizontal plane); and

(7) be located less than 350 millimetres from a wall or other platform if there is no guardrail.”.

**7.** The Code is amended by adding the following after section 3.9.21:

“**3.9.22. Mast-climbing work platform:** Every mast-climbing work platform shall:

(1) be designed in conformity with the plans of an engineer; a copy of the plans must be available on request;

\* The Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r.6) was last amended by the regulation approved by Order in Council 873-2003 dated 20 August 2003 (2003, G.O. 2, 2729). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

(2) be equipped with a plate on each hoisting system clearly stating the maximum load allowed on the platform;

(3) be equipped with bearers resting on base plates or mudsills, as shown on the engineer's plans or in the manufacturer's manual;

(4) have a distance between masts in conformity with the engineer's plans;

(5) have the sections of each mast linked together using the means specified in the engineer's plans or in the manufacturer's manual;

(6) have masts whose plumbness complies with the lesser of the following measures: the gap between a plumb line and any point lower than

(a) the engineer's plans or the manufacturer's manual; or

(b) 12 millimetres for three metres in height, 19 millimetres for six metres in height or 38 millimetres for the total height of the scaffolding;

(7) be loaded in conformity with the engineer's plans or the manufacturer's manual which must identify the loading zones;

(8) have masts anchored at the height and using an anchoring system in conformity with the engineer's plans or the manufacturer's manual;

(9) be equipped with an anchoring system designed for that purpose in conformity with the engineer's plans or the manufacturer's manual when safety tarpaulins are installed; and

(10) be used by workers trained to

(a) identify and prevent the hazards associated with the erection, dismantling and use of the scaffolding; and

(b) work on the platform safely.

**3.9.23. Pump jack scaffold:** In addition to the standards prescribed in section 3.9.22, every pump jack scaffold shall:

(1) be designed to support, in addition to the dead weight, three times the maximum load allowed without damage to any of its components;

(2) be used by not more than two workers at the same time between two masts;

(3) have masts made out of a material other than wood;

(4) be equipped with jacks designed to prevent any accidental slippage of the platform alongside the masts; and

(5) when the work platform passes in front of an intermediate anchoring point, be equipped with a new anchor installed one and a half metres under the platform, before removing the intermediate anchoring.

**3.9.24. Winch scaffolding:** In addition to the standards prescribed in section 3.9.22, every winch scaffolding shall:

(1) be designed and manufactured in compliance with ANSI/SIA Standard A 92.9-1993 Mast-Climbing Work Platforms;

(2) when climbing, have bracing affixed under the work platform before the above bracing is removed;

(3) be equipped with an arresting device to stop and support the platform in case of overspeed; the device must be designed to stop the work platform with twice the maximum load allowed by limiting the height of the fall to 300 millimetres, without any break in the components under stress;

(4) in addition to the instructions of the manufacturer, be inspected in compliance with the following minimum conditions:

(a) before each use in compliance with section 7.4.3. of ANSI/SIA Standard A 92.9-1993 Mast-Climbing Work Platforms by a qualified person; and

(b) quarterly by a qualified mechanic;

(5) undergo every year a visual examination of its welds by a welding inspector holding a certificate issued by the Canadian Welding Bureau or a welding supervisor in the employ of a company certified in compliance with the requirements of CSA Standard W47.1 Certification of Companies for Fusion Welding of Steel; and

(6) undergo every five years a non-destructive examination of the bearing parts by an organization certified by the Canadian Welding Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.

**3.9.25. Motorized scaffolding:** In addition to the standards prescribed in section 3.9.22, every motorized scaffolding manufactured after 13 March 2008 shall:

(1) be designed and manufactured in compliance with ISO Standard 16369 – Mast-Climbing Work Platforms, applicable at the time of the manufacture;

(2) have the sides of the work platform next to a mast protected over a height of at least two metres to prevent access to the mast when the speed of the work platform exceeds 2.5 metres per minute;

(3) be equipped with a device preventing the fall of the work platform in case of malfunction of the hoisting system;

(4) have at least one plate on which the following particulars appear in French:

(a) the name of the manufacturer;

(b) the date of manufacture;

(c) the climbing speed;

(d) the self-bearing height;

(e) the electric power supply; and

(f) the load table;

(5) in addition to the manufacturer's instructions, be inspected in compliance with the following minimum conditions:

(a) before each use, in compliance with section 7.1.2.9 of ISO 16369 – Mast-Climbing Work Platforms Standard, applicable at the time of the manufacture, by a qualified person; and

(b) quarterly by a qualified mechanic;

(6) undergo every year a visual examination of its welds by a welding inspector holding a certificate issued by the Canadian Welding Bureau or a welding supervisor in the employ of a company certified in compliance with the requirements of CSA Standard W47.1 Certification of Companies for Fusion Welding of Steel; and

(7) undergo every five years a non-destructive examination of the bearing parts by an organization certified by the Canadian Welding Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.

In addition, a complete instruction manual for every motorized scaffolding, written in French, must be at the disposal of users to ensure the scaffolding is used safely.”.

**8.** The Regulation respecting occupational health and safety\* is amended in the second paragraph of section 2,

(1) by inserting “42,” after “40,”;

(2) by striking out “61,”;

(3) by replacing “121 to 124” by “121 to 124 and 144”.

**9.** 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. 134-2008, 20 February 2008

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

### Physician assistant

#### — Professional activities that may be engaged in by a physician assistant in the Canadian Forces

Regulation respecting the professional activities that may be engaged in by a physician assistant in the Canadian Forces

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation and the terms and conditions on which such persons may engage in such activities;

WHEREAS the Bureau of the Collège des médecins du Québec made the Regulation respecting the professional activities that may be engaged in by a physician assistant in the Canadian Forces;

\* The Regulation respecting occupational health and safety, approved by Order in Council 885-2001 dated 4 July 2001 (2001, *G.O.* 2, 3888), was last amended by the regulation approved by Order in Council 1120-2006 dated 6 December 2006 (2006, *G.O.* 2, 4047).

WHEREAS, under section 95 of the Professional 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 shall be transmitted to the Office des professions du Québec for examination and 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), a draft of the 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 that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and 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 respecting the professional activities that may be engaged in by a physician assistant in the Canadian Forces, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the professional activities that may be engaged in by a physician assistant in the Canadian Forces**

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *h*)

**1.** The purpose of this Regulation is to determine, amongst the professional activities that may be engaged in by physicians, those which, pursuant to the terms and conditions set out in the Regulation, may be engaged in by a Canadian Forces physician assistant during his or her training or within the framework of maintaining his or her competence.

**2.** In this Regulation, “physician assistant” means any member of the Canadian Forces who is registered in the “Physician assistant program – training plan” (CF MSS PA Program) of the Canadian Forces Medical Services

School or has completed such a training program and whose designation as physician assistant has been recognized by the Canadian Forces.

**3.** The physician assistant engages in the professional activities described in sections 4, 5 and 6 in a centre operated in an institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and affiliated with a university that issues a diploma in medicine.

**4.** The physician assistant, under the supervision of a physician or medical resident, may engage in the following professional activities:

1) participate in the assessment of a person’s state of health;

2) perform a physical examination.

**5.** The physician assistant may, according to a prescription and in the presence of a physician, another qualified professional or a medical resident, engage in the following professional activities:

1) perform a venous puncture;

2) perform a radial arterial puncture;

3) perform intubation;

4) provide care and treatment for wounds and alterations of the skin;

5) make sutures of cutaneous and subcutaneous wounds;

6) apply plaster casts;

7) insert a short peripheral intravenous catheter;

8) introduce an instrument beyond the pharynx;

9) introduce an instrument beyond the urinary meatus;

10) provide tracheostomy maintenance care;

11) remove a foreign body from beyond the nasal vestibule, the external auditory canal, the skin or the surface of the eye;

12) make an incision and drain a superficial abscess;

13) irrigate an external auditory canal;

14) apply nasal packing.



**6.** The physician assistant may, according to a prescription of a physician or a medical resident, engage in the following professional activities:

- 1) carry out complementary clinical acts and surgical techniques as part of a surgical procedure;
- 2) make an incision in or strip a vein;
- 3) perform a gynecological examination;
- 4) use a defibrillator.

**7.** This regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

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## Draft Regulations

### Draft Regulation

An Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2)

#### **Ambulance Technician — National Workforce Registry and conditions for registration**

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 Ambulance Technician National Workforce Registry and the conditions for registration, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation establishes the Ambulance Technician National Workforce Registry and determines the conditions that technicians must satisfy to be registered as well as the continuing education requirements and qualification assessment process to which ambulance technicians are subject.

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

Further information may be obtained by contacting Dr. Daniel Lefrançois, 1075, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1S 2M1; telephone: 418 266-5811; e-mail: daniel.lefrançois@msss.gouv.qc.ca

Any interested person having comments on the matter may submit them in writing within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

### **Regulation respecting the Ambulance Technician National Workforce Registry and the conditions for registration**

An Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2, s. 64)

#### **DIVISION I CONDITIONS FOR REGISTRATION**

**1.** To be registered in the Ambulance Technician National Workforce Registry established by the Minister of Health and Social Services under subparagraph 10 of the second paragraph of section 3 of the Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2), an ambulance technician must

(1) hold a Class 4A driver's licence referred to in subparagraph 4 of the first paragraph of section 28 of the Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991;

(2) provide

(a) a document attesting that the technician has completed the initial college ambulance technician training recognized by the Ministère de l'Éducation, du Loisir et du Sport and passed the relevant examination; or

(b) a document attesting that the technician has been granted a training or diploma equivalence; and

(3) pay the annual fees required for registration.

For that purpose, an ambulance technician must complete the form provided by the Minister, which must contain the following information:

- (1) name;
- (2) domicile address;
- (3) social insurance number;
- (4) the technician's practice status, where applicable;
- (5) academic training;

(6) driver's licence number and, if the driver's licence is suspended, the date on which the suspension ends, and the number of demerit points entered in the technician driver's record;

(7) employer's address;

(8) continuing education activities completed; and

(9) date of first registration in the registry and the date of any later registration.

The registration form must be signed by the ambulance technician and be accompanied by a statement attesting to the accuracy of the information. The form is deemed to be submitted to the Minister on the date it is received by the Minister.

**2.** Upon registration in the registry, an ambulance technician is given a restricted or unrestricted qualification card corresponding to the level of activities that may be carried on.

An unrestricted qualification card is given to an ambulance technician whose clinical qualification to make interventions with users is not restricted in any way. Such a qualification card allows the technician to practise the profession throughout Québec.

A restricted qualification card is given to an ambulance technician whose clinical qualification to make specific interventions with users was deemed inadequate by the national medical director, following the recommendation of the regional medical director, and corrective measures were unable to rectify the situation. Such a qualification card allows the technician to practise the profession throughout Québec within the limits of the restrictions and does not prevent the technician from teaching.

Special status is given to an ambulance technician having privileges in advanced pre-hospital emergency care.

## DIVISION II CONTINUING EDUCATION AND QUALIFICATION ASSESSMENT REQUIREMENTS

**3.** Once registered, an ambulance technician referred to in subparagraph *a* of subparagraph 2 of the first paragraph of section 1 must successfully complete a national clinical integration program established by the national medical director under subparagraph 2 of the first paragraph of section 6 of the Act.

**4.** In order to remain registered in the national registry, an ambulance technician must pay the required annual fees. The technician must also, during the time period specified in section 64 of the Act, successfully complete all the mandatory continuing education activities provided by or under the responsibility of the Corporation d'urgences santé or the health and social services agency of the territory where the technician practises.

The continuing education activities pertain in particular to the improvement or maintenance of skills with regard to clinical intervention protocols, socio-sanitary interventions in relation to physical health, traumatic emergencies and the knowledge of legislation and regulations governing pre-hospital emergency services. They may consist in

(1) practical or theoretical training periods; and

(2) participation in research.

The continuing education activities are attested by written or verbal examinations, by practical evaluations of the clinical intervention protocols and socio-sanitary interventions, or by participation certificates in the case of scientific seminars or symposiums.

**5.** An ambulance technician who is unable to satisfy the continuing education requirements within the time period in section 4 because of a valid reason such as sick leave or parental leave may obtain an extension from the regional medical director concerned to complete the training.

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

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## Draft Regulation

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

### Regulation — Amendments

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

Under the draft Regulation, a person is not required to hold an authorization under section 22 of the Environment Quality Act (R.S.Q., c. Q-2) for activities, works or constructions carried out in a protected area under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01) if the person already holds an authorization for that purpose.

The exemption is added to the exemptions in sections 1 to 3 of the Regulation respecting the application of the Environment Quality Act.

Further to the provisions of section 6 of the Regulation as regards those other exemptions, any intervention arising from a project authorized by the Government pursuant to section 31.5 of the Act that is a project subject to the assessment and review procedure remains subject to the application of section 22 of the Environment Quality Act.

The proposed amendment reduces the administrative burden on enterprises and persons required under two statutes to submit an application for authorization to the same Minister for the same project. Unnecessary duplication and overlapping is thereby avoided, which is beneficial to good public administration from both an economic and a practical standpoint.

Further information may be obtained by contacting Joanne Laberge, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 4<sup>e</sup> étage, boîte postale 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: joanne.laberge@mddep.gouv.qc.ca

Interested persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 60-day period to Joanne Laberge at the address indicated above.

LINE BEAUCHAMP,  
*Minister of Sustainable Development,  
Environment and Parks*

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## **Regulation to amend the Regulation respecting the application of the Environment Quality Act \***

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, 1st par., subpar. f)

**1.** The Regulation respecting the application of the Environment Quality Act is amended in section 1 by adding the following paragraph:

“(6) construction, work or activities to be carried out in aquatic reserves, biodiversity reserves or ecological reserves, or on land set aside for reserve purposes, if an authorization has been issued by the Minister under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).”.

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

8567

## **Draft Regulation**

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1)

### **Individual and family assistance — Amendments**

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

The draft Regulation proposes various enhancements for recipients of last resort financial assistance.

Under the draft Regulation, a dependent child who ceases to be part of a family because of work income or income from a public plan will continue to be eligible for the special benefit to cover the cost of medications.

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\* The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the regulation made by Order in Council 320-2006 dated 13 April 2006 (2006, *G.O.* 2, 1344). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

An accused person required to reside in a half-way house or a facility, other than a penitentiary, a correctional facility or other prison, will be eligible for financial assistance in the same manner as a person not subject to that requirement.

The draft Regulation proposes to increase the reimbursement for expenses incurred by a recipient who uses a private vehicle to obtain medical care. The new rate will be \$0.145 per kilometre travelled (the rate also applying to the use of a private vehicle in connection with the enforcement of a claim for support), or \$0.41 per kilometre travelled if the transportation is provided by a volunteer driver under the control of a humanitarian organization recognized by the Ministère de la Santé et des Services sociaux under one of its support programs. The draft Regulation will allow the amount to be paid directly to the organization or taxi transport service provider.

The draft Regulation contains various provisions relating to the Working Income Tax Benefit and the disability supplement for handicapped persons paid by the Canada Revenue Agency beginning in 2008. Those amounts are not income that reduces last resort financial assistance and are temporarily excluded as liquid assets on certain terms.

The draft Regulation allows a recipient to exclude income tax refunds as liquid assets for the month in which they are received, and increases the amount of the deductions that apply to the parents' income for the purposes of calculating the parental contribution. Proceeds from a life insurance policy or a death benefit paid in a lump sum will be excluded, on the same conditions as assets received from a succession under the Social Solidarity Program. Provision is made to maintain, on certain conditions, various liquid asset exclusions available to recipients of last resort financial assistance even should they be required to repay the assistance.

Technical and consequential amendments are proposed, in particular to reflect the new terminology used in the Act respecting the Québec correctional system (2002, c. 24).

The draft Regulation will have positive consequences for persons and families receiving last resort financial assistance. It will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Christine Brockman, Direction des politiques de sécurité du revenu, Ministère de l'Emploi et de la Solidarité

sociale, 425, rue Saint-Amable, 4e étage, Québec (Québec) G1R 4Z1; telephone: 418 646-7221; fax: 418 644-1299.

Any interested person wishing to comment on the draft Regulation is requested to submit written comments to the Minister of Employment and Social Solidarity, 425, rue Saint-Amable, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1, within the 45-day period.

SAM HAMAD,  
*Minister of Employment  
and Social Solidarity*

## Regulation to amend the Individual and Family Assistance Regulation\*

Individual and Family Assistance Act  
(R.S.Q., c. A-13.1.1, s. 131, pars. 8, 9 and 12; s. 132, pars. 8, 10 and 15; s. 133, par. 2 and s. 136)

**1.** The Individual and Family Assistance Regulation is amended in section 16 by adding the following sentence: "Despite the foregoing, if the financial assistance is granted under a last resort financial assistance program, the child continues to be a dependant of that person for the purposes of the special benefit for pharmaceutical services under section 83."

**2.** Section 26 is replaced by the following:

"**26.** An independent adult required to reside in a half-way house is eligible for financial assistance from the month in which the adult begins residing in the half-way house and

(1) is authorized to be temporarily absent from a correctional facility or a community correctional centre for reintegration purposes under section 54 or 136 of the Act respecting the Québec correctional system (2002, c. 24); or

(2) has been conditionally released under section 143 of that Act.

\* The Individual and Family Assistance Regulation, made by Order in Council 1073-2006 dated 22 November 2006 (2006, G.O. 2, 3877), was last amended by the regulation made by Order in Council 1064-2007 dated 28 November 2007 (2007, G.O. 2, 3688). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

For the purposes of this section, a half-way house means a community residential centre, a community shelter or a foster home bound by a partnership agreement or service contract with the Minister of Public Security to facilitate the reintegration of the persons required to reside there.”

**3.** The following is inserted after section 26:

“**26.1.** Despite section 26, an adult accused who is required to reside in a half-way house, a facility other than a penitentiary, a correctional facility or other prison is eligible for financial assistance. The provisions of this Regulation that are specific to an adult required to reside in a facility do not apply, however, to the accused.”

**4.** Section 89 is amended by replacing the second paragraph by the following:

“If transportation is by private vehicle, the special benefit is paid to cover parking fees and vehicle use expenses up to \$0.145 per kilometre travelled.

The vehicle use expenses are, however, paid up to \$0.41 per kilometre if the transportation is provided by a volunteer driver under the control of a humanitarian organization recognized by the Ministère de la Santé et des Services sociaux under one of its support programs, provided the total remuneration for such transportation, excluding parking fees, is no more than a contribution to vehicle use expenses and the organization keeps a permanent record of all trips made. In such a case, the claim for payment may be made by the organization, with the consent of the independent adult or an adult member of the family, and the special benefit paid directly to the organization.”

**5.** Section 90 is amended by adding the following paragraph:

“The special benefit may be paid directly to the taxi transport service provider with the consent of the independent adult or an adult member of the family.”

**6.** Section 95 is amended by replacing “the use of the vehicle up to a maximum of \$0.135” in the second paragraph by “vehicle use expenses up to \$0.145”.

**7.** Section 111 is amended by adding “paid under the Taxation Act, and the Working Income Tax Benefit and the supplement for handicapped persons paid by the Canada Revenue Agency” at the end of paragraph 12.

**8.** Section 138 is amended by adding the following paragraph:

“(12) for the month in which they are received, sums received as income tax refunds.”

**9.** Section 140 is replaced by the following:

“**140.** If they are received quarterly, advance payments as a work premium made under the Taxation Act and advance payments related to the Working Income Tax Benefit and the supplement for handicapped persons paid by the Canada Revenue Agency are wholly excluded for the month in which they are paid and are excluded in the proportion of two-thirds for the following month and one-third for the last month.

In addition, the amount received as a child assistance payment under section 1029.8.61.28 of the Taxation Act that includes two or three months of eligibility is wholly excluded for the month in which it is paid and, depending on the months of eligibility, is excluded in the proportion of 50% for the following month, or in the proportion of two-thirds for the following month and one-third for the last month.

Payment of arrears in respect of the amounts referred to in this section are excluded up to the last day of the following month.”

**10.** Section 142 is amended by adding the following paragraph:

“If the benefit paid for the month during which savings begin under an individual savings plan is later claimed in its entirety by the Minister, the exclusion applies, unless the claim is made following a false declaration, up to the date on which a formal repayment notice was sent by the Minister pursuant to section 97 of the Act.”

**11.** Section 153 is amended

(1) by replacing “\$17,100” in paragraph 1 by “\$17,606”;

(2) by replacing “\$12,210” in paragraph 2 by “\$12,349”;

(3) by replacing “\$12,210” in paragraph 3 by “\$12,349”.

**12.** Section 164 is amended

(1) by adding the following after subparagraph 4 of the first paragraph:

“(5) the proceeds from a life insurance policy received by an independent adult or a member of the family following the death of a person as well as a death benefit, if the proceeds or benefit are paid in a lump sum.”;

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

“The exclusions in subparagraphs 4 and 5 of the first paragraph apply if the property or liquid assets are received during a month in which the independent adult or the family is a recipient under a last resort financial assistance program, otherwise than pursuant to section 49 of the Act, or is eligible to receive the special benefit for dental and pharmaceutical services pursuant to section 48 of this Regulation. Despite the foregoing, if the benefit paid for that month is later claimed in its entirety by the Minister, the exclusions apply, unless the claim is made following a false declaration, up to the date on which a formal repayment notice was sent by the Minister pursuant to section 97 of the Act.

In addition, the exclusion in subparagraph 4 of the first paragraph continues to apply the first time the property is converted into liquid assets or the liquid assets are converted into property, and the exclusion in subparagraph 5 of the first paragraph continues to apply the first time the proceeds or benefit are converted into property.”.

**13.** Section 173 is amended by replacing “subparagraph 4 of the first paragraph of section 164 applies only” in the third paragraph by “subparagraphs 4 and 5 of the first paragraph of section 164 apply only”.

**14.** This Regulation comes into force on 1 June 2008, except section 11, which comes into force on 1 July 2008.



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

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