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DU Québec

Part

2

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9 April 2008

Laws and Regulations

Volume 140

Summary

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PROVINCE OF QUÉBEC

1ST SESSION

38TH LEGISLATURE

QUÉBEC, 19 MARCH 2008

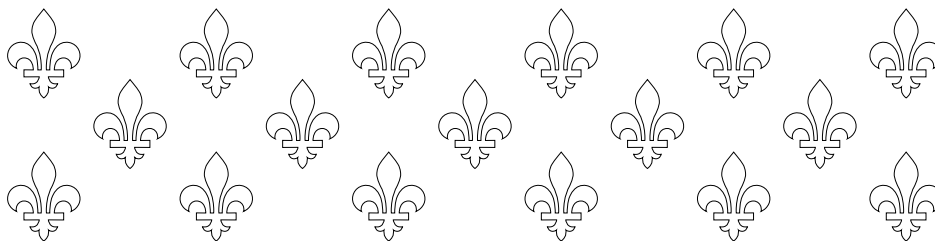
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 19 March 2008

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

76 Appropriation Act No. 1, 2008-2009

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



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 76
(2008, chapter 2)

Appropriation Act No. 1, 2008-2009

Introduced 18 March 2008
Passed in principle 18 March 2008
Passed 18 March 2008
Assented to 19 March 2008

Québec Official Publisher
2008

EXPLANATORY NOTES

This Act authorizes the Government to pay out of the consolidated revenue fund, for the 2008-2009 fiscal year, a sum not exceeding \$13,883,962,975.00, representing some 30.0% of the estimates for each of the portfolio programs listed in the Schedule.

Moreover, the Act establishes to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Bill 76

APPROPRIATION ACT NO. 1, 2008-2009

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the consolidated revenue fund a sum not exceeding \$13,883,962,975.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2008-2009 fiscal year. This sum is constituted as follows:

(1) a first portion of \$11,536,426,400.00, in appropriations allocated according to the appended programs, representing 25.0% of appropriations to be voted in the 2008-2009 Expenditure Budget;

(2) an additional portion of \$2,347,536,575.00, in appropriations allocated according to the appended programs, representing some 5.1% of appropriations to be voted in the 2008-2009 Expenditure Budget.

2. In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the reasons and, if need be, under the conditions described in the Expenditure Budget.

3. Except for the programs covered by section 2, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.

4. Special warrant No. 1-2007-2008, for an amount of \$13,338,818,175.00, issued on 20 February 2008 is annulled.

5. This Act comes into force on 19 March 2008.

SCHEDULE

AFFAIRES MUNICIPALES ET RÉGIONS

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Greater Montréal Promotion and Development | 23,108,900.00 | 10,000,000.00 |
| PROGRAM 2 | | |
| Upgrading Infrastructure and Urban Renewal | 134,611,700.00 | 87,000,000.00 |
| PROGRAM 3 | | |
| Compensation in lieu of Taxes and Financial Assistance to Municipalities | 182,606,000.00 | 250,000,000.00 |
| PROGRAM 4 | | |
| General Administration | 18,208,400.00 | |
| PROGRAM 5 | | |
| Regional Development and Rurality | 23,013,900.00 | 30,000,000.00 |
| PROGRAM 6 | | |
| Commission municipale du Québec | 620,600.00 | |
| PROGRAM 7 | | |
| Housing | 100,644,800.00 | 46,736,800.00 |
| PROGRAM 8 | | |
| Régie du logement | 3,910,200.00 | 325,000.00 |
| | 486,724,500.00 | 424,061,800.00 |

AGRICULTURE, PÊCHERIES ET ALIMENTATION

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Bio-food Company Development, Training and Food Quality | 101,620,700.00 | 68,800,000.00 |
| PROGRAM 2 | | |
| Government Agencies | 79,381,300.00 | 228,750,000.00 |
| | <hr/> | <hr/> |
| | 181,002,000.00 | 297,550,000.00 |

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

| | First portion | Additional portion |
|------------------------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Secrétariat du Conseil du trésor | 68,356,600.00 | |
| PROGRAM 2 | | |
| Commission de la fonction publique | 903,500.00 | |
| PROGRAM 3 | | |
| Retirement and Insurance Plans | 1,104,500.00 | |
| PROGRAM 4 | | |
| Contingency Fund | 218,265,000.00 | |
| | <hr/> | |
| | 288,629,600.00 | |

CONSEIL EXÉCUTIF

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Lieutenant-Governor's Office | 176,900.00 | 37,500.00 |
| PROGRAM 2 | | |
| Support Services for the Premier and the Conseil exécutif | 17,621,500.00 | 1,016,900.00 |
| PROGRAM 3 | | |
| Canadian Intergovernmental Affairs | 4,143,000.00 | |
| PROGRAM 4 | | |
| Aboriginal Affairs | 50,898,600.00 | 6,916,400.00 |
| PROGRAM 5 | | |
| Youth | 9,187,100.00 | 6,000,000.00 |
| PROGRAM 6 | | |
| Reform of Democratic Institutions and Access to Information | 1,809,000.00 | |
| | <hr/> | <hr/> |
| | 83,836,100.00 | 13,970,800.00 |

CULTURE, COMMUNICATIONS ET CONDITION FÉMININE

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Internal Management, Centre de conservation du Québec and Commission des biens culturels du Québec | 12,681,300.00 | |
| PROGRAM 2 | | |
| Support for Culture, Communications and Government Corporations | 142,061,900.00 | 47,572,475.00 |
| PROGRAM 3 | | |
| Charter of the French Language | 5,767,600.00 | |
| PROGRAM 4 | | |
| Status of Women | 2,794,700.00 | 1,475,000.00 |
| | <hr/> 163,305,500.00 | <hr/> 49,047,475.00 |

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET PARCS

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Environmental Protection and Parks Management | 52,810,700.00 | 7,021,500.00 |
| PROGRAM 2 | | |
| Bureau d'audiences publiques sur l'environnement | 1,367,300.00 | |
| | <hr/> | <hr/> |
| | 54,178,000.00 | 7,021,500.00 |

DÉVELOPPEMENT ÉCONOMIQUE, INNOVATION ET EXPORTATION

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Financial and Technical Support for Economic Development, Research, Innovation and Exports | 153,495,500.00 | 32,289,750.00 |
| PROGRAM 2 | | |
| Research and Innovation Organizations | 46,178,100.00 | 8,286,850.00 |
| | <hr/> 199,673,600.00 | <hr/> 40,576,600.00 |

ÉDUCATION, LOISIR ET SPORT

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Administration and Consulting | 39,640,200.00 | |
| PROGRAM 2 | | |
| Tourism and Hotel Industry Training | 5,623,200.00 | |
| PROGRAM 3 | | |
| Financial Assistance for Education | 140,707,800.00 | |
| PROGRAM 4 | | |
| Preschool, Primary and Secondary Education | 2,017,108,500.00 | 438,569,200.00 |
| PROGRAM 5 | | |
| Higher Education | 1,150,467,300.00 | 594,943,400.00 |
| PROGRAM 6 | | |
| Development of Recreation and Sport | 15,886,400.00 | 24,134,200.00 |
| | <hr/> | <hr/> |
| | 3,369,433,400.00 | 1,057,646,800.00 |

EMPLOI ET SOLIDARITÉ SOCIALE

| | First portion | Additional portion |
|--------------------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Employment Assistance Measures | 228,426,200.00 | 20,000,000.00 |
| PROGRAM 2 | | |
| Financial Assistance Measures | 619,418,600.00 | 126,000,000.00 |
| PROGRAM 3 | | |
| Administration | 117,750,000.00 | 25,000,000.00 |
| | <hr/> | <hr/> |
| | 965,594,800.00 | 171,000,000.00 |

FAMILLE ET AÎNÉS

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Planning, Research and Administration | 12,945,100.00 | 720,000.00 |
| PROGRAM 2 | | |
| Assistance Measures for Families | 424,179,800.00 | 44,097,200.00 |
| PROGRAM 3 | | |
| Condition of Seniors | 2,325,900.00 | |
| PROGRAM 4 | | |
| Public Curator | 11,690,100.00 | 460,000.00 |
| | <hr/> | <hr/> |
| | 451,140,900.00 | 45,277,200.00 |

FINANCES

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Department Administration | 11,236,700.00 | |
| PROGRAM 2 | | |
| Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities | 28,123,700.00 | |
| | <hr/> | |
| | 39,360,400.00 | |

IMMIGRATION ET COMMUNAUTÉS CULTURELLES

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Immigration, Integration and Cultural Communities | 68,417,700.00 | |
| PROGRAM 2 | | |
| Agency Reporting to the Minister | 200,500.00 | |
| | <hr/> | |
| | 68,618,200.00 | |

JUSTICE

| | First portion | Additional portion |
|--|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Judicial Activity | 6,428,900.00 | 158,800.00 |
| PROGRAM 2 | | |
| Administration of Justice | 67,341,700.00 | 10,073,400.00 |
| PROGRAM 3 | | |
| Administrative Justice | 2,906,400.00 | 81,100.00 |
| PROGRAM 4 | | |
| Assistance to Persons Brought before the Courts | 36,301,400.00 | 53,800.00 |
| PROGRAM 5 | | |
| Protection Agency Reporting to the Minister | 1,947,200.00 | 68,400.00 |
| PROGRAM 6 | | |
| Criminal and Penal Prosecutions | 16,403,700.00 | 156,600.00 |
| | <hr/> | <hr/> |
| | 131,329,300.00 | 10,592,100.00 |

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

| | First portion | Additional portion |
|----------------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| The Public Protector | 3,158,200.00 | 127,000.00 |
| PROGRAM 2 | | |
| The Auditor General | 6,073,800.00 | 1,709,000.00 |
| PROGRAM 4 | | |
| The Lobbyists Commissioner | 672,900.00 | |
| | <hr/> | <hr/> |
| | 9,904,900.00 | 1,836,000.00 |

RELATIONS INTERNATIONALES

| | First portion | Additional portion |
|-----------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| International Affairs | 31,897,000.00 | 7,022,600.00 |
| | <hr/> | <hr/> |
| | 31,897,000.00 | 7,022,600.00 |

RESSOURCES NATURELLES ET FAUNE

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Management of Natural Resources and Wildlife | 138,367,800.00 | 55,753,100.00 |
| | <hr/> | <hr/> |
| | 138,367,800.00 | 55,753,100.00 |

REVENU

| | First portion | Additional portion |
|--------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Tax Administration | 133,860,400.00 | 14,442,600.00 |
| | <hr/> | <hr/> |
| | 133,860,400.00 | 14,442,600.00 |

SANTÉ ET SERVICES SOCIAUX

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Québec-wide Operations | 89,085,700.00 | |
| PROGRAM 2 | | |
| Regional Operations | 3,721,966,500.00 | |
| PROGRAM 3 | | |
| Office des personnes handicapées du Québec | 3,166,100.00 | |
| PROGRAM 5 | | |
| Promotion and Development of the Capitale-Nationale Region | 17,024,200.00 | 5,280,700.00 |
| | <hr/> 3,831,242,500.00 | <hr/> 5,280,700.00 |

SÉCURITÉ PUBLIQUE

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Security, Prevention and Internal Management | 121,244,400.00 | 12,096,600.00 |
| PROGRAM 2 | | |
| Sûreté du Québec | 137,433,500.00 | 119,794,850.00 |
| PROGRAM 3 | | |
| Agencies Reporting to the Minister | 8,180,400.00 | |
| | <hr/> 266,858,300.00 | <hr/> 131,891,450.00 |

SERVICES GOUVERNEMENTAUX

| | First portion | Additional portion |
|---------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Government Services | 30,407,100.00 | |
| | <hr/> | |
| | 30,407,100.00 | |

TOURISME

| | First portion | Additional portion |
|---|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Promotion and Development of Tourism | 35,166,600.00 | 2,471,250.00 |
| | <hr/> | <hr/> |
| | 35,166,600.00 | 2,471,250.00 |

TRANSPORTS

| | First portion | Additional portion |
|---------------------------------------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Transportation Infrastructures | 417,982,100.00 | |
| PROGRAM 2 | | |
| Transportation Systems | 127,116,800.00 | 12,094,600.00 |
| PROGRAM 3 | | |
| Administration and Corporate Services | 23,085,100.00 | |
| | <hr/> 568,184,000.00 | <hr/> 12,094,600.00 |

TRAVAIL

| | First portion | Additional portion |
|-----------|--------------------------|-------------------------------|
| PROGRAM 1 | | |
| Labour | 7,711,500.00 | |
| | <hr/> | |
| | 7,711,500.00 | |

Regulations and other acts

Gouvernement du Québec

O.C. 311-2008, 2 April 2008

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Labour standards — Amendments

Regulation to amend the Regulation respecting labour standards

WHEREAS, under the first paragraph of section 40, paragraph 1 of section 89 and the first paragraph of section 91 of the Act respecting labour standards (R.S.Q., c. N-1.1), the Government may, by regulation, fix labour standards respecting the minimum wage;

WHEREAS the Government made the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3);

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), a draft of the Regulation to amend the Regulation respecting labour standards was published in Part 2 of the *Gazette officielle du Québec* of 17 December 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 Labour:

THAT the Regulation to amend the Regulation respecting labour standards, attached to this Order in Council, be made

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 40, 1st par., s. 89, par. 1, and s. 91, 1st par.)

1. The Regulation respecting labour standards is amended in section 3 by replacing “\$8.00” by “\$8.50”.

2. Section 4 is amended by replacing “\$7.25” by “\$7.75”.

3. The first paragraph of section 4.1 is replaced by the following:

“The minimum wage payable to an employee assigned mainly to non-mechanized operations relating to the picking of raspberries, strawberries or apples is established on the basis of yield according to the following rules:

(1) for an employee assigned to the picking of raspberries: \$0.522 per 250 ml container;

(2) for an employee assigned to the picking of strawberries: \$0.237 per 551 ml container;

(3) for an employee assigned to the picking of apples:

(a) for dwarf apple trees: \$1.26 per bushel;

(b) for semi-dwarf apple trees: \$1.56 per bushel; and

(c) for standard apple trees: \$1.79 per bushel.”

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

8622

* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the regulation made by Order in Council 283-2007 dated 28 March 2007 (2007, *G.O.* 2, 1309). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

Gouvernement du Québec

O.C. 312-2008, 2 April 2008

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Clothing industry

— **Labour standards specific to certain sectors**

— **Amendment**

Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry

WHEREAS, under section 92.1 of the Act respecting labour standards (R.S.Q., c. N-1.1), after consulting with the most representative employees' and employers' associations in the clothing industry, the Government may, by regulation, in respect of all employers and employees in the clothing industry, fix labour standards respecting the minimum wage;

WHEREAS the Government made the Regulation respecting labour standards specific to certain sectors of the clothing industry by Order in Council 1288-2003 dated 3 December 2003;

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), a draft of the Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry was published in Part 2 of the *Gazette officielle du Québec* of 17 December 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 the consultations required by the Act have been carried out;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry*

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 92.1, 1st par., subpar. 1)

1. Section 3 of the Regulation respecting labour standards specific to certain sectors of the clothing industry is amended by replacing “\$8.25” by “\$8.50”.

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

8620

* The Regulation respecting labour standards specific to certain sectors of the clothing industry, made by Order in Council 1288-2003 dated 3 December 2003 (2003, *G.O.* 2, 3601), was last amended by the regulation made by Order in Council 307-2006 dated 13 April 2006 (2006, *G.O.* 2, 1230A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

Gouvernement du Québec

Agreement

Election Act
(R.S.Q., c. E-3.3)

AGREEMENT CONCERNING THE TESTING OF NEW METHODS OF VOTING

BETWEEN

MR. JEAN CHAREST, LEADER OF THE QUÉBEC
LIBERAL PARTY, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARIO DUMONT, LEADER OF THE ACTION
DÉMOCRATIQUE DU QUÉBEC / TEAM MARIO
DUMONT, AN AUTHORIZED PARTY REPRE-
SENTED IN THE NATIONAL ASSEMBLY

AND

MS. PAULINE MAROIS, LEADER OF THE PARTI
QUÉBÉCOIS, AN AUTHORIZED PARTY REPRE-
SENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARCEL BLANCHET IN HIS CAPACITY AS
THE CHIEF ELECTORAL OFFICER OF QUÉBEC

WHEREAS pursuant to section 310.1 of the Election Act, two officers assigned to the list of electors are appointed for every polling station by the returning officer on the recommendation of the candidates of authorized parties whose candidates came first and second during the previous election;

WHEREAS the officers assigned to the list of electors have the duty of providing information about electors who have voted;

WHEREAS since the creation of this position in 2001, difficulties have been encountered in every general election or by-election in recruiting officers assigned to the list of electors;

WHEREAS these difficulties have obliged the Chief Electoral Officer to use the special powers outlined in section 490 of the Election Act in order to stipulate that only one person can perform the duty of officer assigned to the list of electors or that if there is no officer, the poll clerk can also perform this function;

WHEREAS the Chief Electoral Officer would like to avail himself of section 489 of the Election Act in order to assess the impacts of performing the duties of officer assigned to the list of electors by a single person during the by-elections in the electoral divisions of Bourget and Pointe-aux-Trembles;

WHEREAS the recommendation of the Chief Electoral Officer has been accepted by the three leaders of authorized parties represented at the National Assembly;

WHEREAS section 489 of the Election Act states that when the recommendation of the Chief Electoral Officer is accepted by the party leaders, an agreement must be signed in this respect between the party leaders and the Chief Electoral Officer;

WHEREAS this agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

2. PURPOSE OF THE AGREEMENT

The purpose of the present agreement is to appoint only one officer assigned to the list of electors for every polling station during the by-elections in the electoral divisions of Bourget and Pointe-aux-Trembles.

3. AMENDMENTS OF THE ELECTION ACT

3.1 **Nomination and recommendation of the officer assigned to the list of electors**

Section 310.1 of the said Act is replaced by the following:

“**310.1.** In every polling station, the returning officer shall appoint one person to act as officer assigned to the list of electors, recommended by the candidate of the authorized party whose candidate came third at the last election.

3.2 **Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance**

Section 490 of the said Act is replaced by the following:

“**490.** If, during the election period, the chief electoral officer realizes that because of an error, emergency or an exceptional circumstance, a provision of the current Act is inadequate, the chief electoral officer may adapt the provision in order to achieve its object.

However, the chief electoral officer must inform the authorized parties represented in the National Assembly beforehand of the intended decision and must use all means necessary to inform the other authorized parties, candidates and electors concerned of the decision.

Within 30 days after polling day, the chief electoral officer must send the President or the Secretary General of the National Assembly a report on the decisions under this section. The President lays the report before the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days after resumption.”

4. MATCHING MODIFICATIONS

For the purpose of applying the present agreement, a reference to “officers assigned to the list of electors” in the following provisions refers to “officer assigned to the list of electors”:

1° sections 308, 313, 315.1 and 328 of the Election Act;

2° section 4 of the Voting Regulation.

5. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer and the returning officer of each electoral division in which the present agreement will be applicable are responsible for its application, hence, for the good conduct of the testing of polling at the office of the returning officer.

6. EVALUATION REPORT

Within 90 days following the date of the by-elections referred to in the present agreement, the Chief Electoral Officer shall transmit to the leaders of the political parties represented at the National Assembly, a report covering the following points:

— election preparations related to the present agreement;

— the advantages and disadvantages encountered in applying the present agreement;

— recommended amendments to the provisions of the Election Act, if any.

7. EFFECT OF THE AGREEMENT

The present agreement takes effect on the date on which the last signature is affixed on this agreement.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN FOUR COPIES,

In Québec, on March 12, 2008

JEAN CHAREST,
Leader of the Québec Liberal Party

In Québec, on March 13, 2008

MARIO DUMONT,
Leader of the Action démocratique du Québec / team Mario Dumont

In Québec, on March 18, 2008

PAULINE MAROIS,
Leader of the Parti québécois

In Québec, on March 19, 2008

MARCEL BLANCHET,
Chief Electoral Officer of Québec

8619

Draft Regulations

Draft Regulation

Midwives Act
(R.S.Q., c. S-0.1)

Midwives

— Drugs that a midwife may prescribe or administer

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 drugs that a midwife may prescribe or administer in the practice of midwifery, adopted by the Office des professions du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation establishes a list of drugs that a midwife may prescribe or administer and determines the conditions under which a midwife may do so.

The Office foresees that the new measures will have no impact on enterprises, including small and medium-sized businesses.

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

Any person wishing to comment on the draft Regulation may submit comments to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, within the 45-day period. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions and may also be sent to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting drugs that a midwife may prescribe or administer in the practice of midwifery

Midwives Act
(R.S.Q., c. S-0.1, s. 9)

1. The drugs that a midwife may prescribe or administer are

(1) the drugs for the mother listed in Schedule I, on the conditions, if applicable, determined in the Schedule; and

(2) the drugs for the child listed in Schedule II, on the conditions determined in the Schedule.

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

SCHEDULE I

(s. 1)

DRUGS THAT A MIDWIFE MAY PRESCRIBE OR ADMINISTER TO THE MOTHER

| Substances | Specifications and conditions |
|--|---|
| Acetaminophen | For use during the prenatal and postpartum period |
| Acetaminophen, caffeine and codeine (in combination) | Pharmaceutical form containing 300 mg and less of acetaminophen, 15 mg and less of caffeine and 8 mg and less of codeine per tablet Limite quantity for a 2-day period |
| Acetaminophen and codeine (in combination) | Pharmaceutical form containing 325 mg and less of acetaminophen and 30 mg and less of codeine per tablet Limited quantity for a 2-day period |
| Alginic acid | |
| Aluminum hydroxide and magnesium hydroxide | |
| Ampicillin | Pharmaceutical form for parenteral administration in prophylaxis during the prolonged rupture of membranes in asymptomatic women or in prophylaxis in respect of beta-hemolytic streptococcus |
| Betamethasone, clotrimazole and mupirocin (in combination) | Pharmaceutical form for topical administration in a concentration of 0.1% betamethasone, 10% clotrimazole and 2% mupirocin for the treatment of fungal infections on nipples of breastfeeding women |
| Betamethasone, miconazole and mupirocin (in combination) | Pharmaceutical form for topical administration in a concentration of 0.1% betamethasone, 2% miconazole and 2% mupirocin for the treatment of fungal infections on nipples of breastfeeding women |
| Calcium carbonate | |
| Calcium gluconate | Pharmaceutical form for parenteral administration in a concentration of 10% (antidote for magnesium sulphate) |
| Carboprost tromethamine | Pharmaceutical form for parenteral administration in a concentration of 0.25 mg in prophylaxis or if hemorrhage during the immediate postpartum period and synthetic oxytocin is ineffective |
| Clindamycin | Pharmaceutical form for parenteral administration in prophylaxis in respect of beta-hemolytic streptococcus, if allergy to penicillin G |
| Clotrimazole | Pharmaceutical forms for topical and vaginal administration in a concentration of 1% |
| Dextrose | Pharmaceutical form for parenteral infusion administration in a concentration of 5% Or Pharmaceutical form for oral administration for a glucose tolerance test |
| Dextrose and sodium chloride (in combination) | Pharmaceutical form for parenteral infusion administration in a concentration of 5% dextrose and 0.45% sodium chloride |

| Substances | Specifications and conditions |
|--|---|
| Diazepam | Pharmaceutical form for rectal administration for the treatment of seizures, if magnesium sulphate is ineffective |
| Diphenhydramine hydrochloride | Pharmaceutical form for parenteral administration for the treatment of allergic reactions, with or without anaphylactic reaction, with no increased body temperature or systemic illness |
| Docusate calcium | Pharmaceutical form for oral administration during the prenatal and postpartum period |
| Docusate sodium | Pharmaceutical form for oral administration during the prenatal and postpartum period |
| Doxylamine succinate and pyridoxine hydrochloride (in combination) | Pharmaceutical form containing 10 mg of doxylamine succinate and 10 mg of pyridoxine hydrochloride per tablet |
| Epinephrine | Presented in the form of auto-injector or ampoule in a concentration of 1 mg/ml for the emergency treatment of anaphylactic reactions |
| Ergonovine maleate | Pharmaceutical form for parenteral administration in prophylaxis or if hemorrhage during the immediate postpartum period and synthetic oxytocin is ineffective |
| Erythromycin | Pharmaceutical form for parenteral administration in prophylaxis in respect of beta-hemolytic streptococcus, if allergy to penicillin G or resistance to clindamycin |
| Ferrous fumarate | Pharmaceutical form for oral administration, if intolerance to ferrous sulphate |
| Ferrous gluconate | Pharmaceutical form for oral administration, if intolerance to ferrous sulphate or ferrous fumarate |
| Ferrous sulphate | Pharmaceutical form for oral administration |
| Folic acid | Pharmaceutical form for oral administration during the prenatal period |
| Glycerin | Pharmaceutical form for rectal administration |
| Hamamelis and glycerin (in combination) | Pharmaceutical form for topical administration in a concentration of 50% hamamelis |
| Human immunoglobulin | Pharmaceutical form for parenteral administration during the prenatal and postpartum period |
| Hydrocortisone and zinc sulphate (in combination) | Pharmaceutical form for rectal administration in a concentration of 0.5% hydrocortisone and 0.5% zinc sulphate |
| Ibuprofen | For use during the postpartum period |
| Lidocaine | Pharmaceutical form for topical administration in a concentration of 4% for action on vaginal mucus while repairing minor lacerations Or Pharmaceutical form for parenteral administration in a concentration of 1% |
| Lorazepam | Pharmaceutical forms for oral and sublingual administration for manual removal of the placenta, if hemorrhage |

| Substances | Specifications and conditions |
|--|--|
| Magnesium sulphate | Pharmaceutical form for parenteral administration for the treatment of seizures |
| Miconazole | Pharmaceutical forms for topical and vaginal administration during the prenatal period in a concentration of 2% |
| Misoprostol | Pharmaceutical forms for oral or rectal administration in prophylaxis or if hemorrhage during the immediate postpartum period and synthetic oxytocin is ineffective |
| MMR vaccine | Pharmaceutical form for parenteral administration during the postpartum period |
| Morphine | Pharmaceutical form for parenteral administration during the neonatal period in prolonged latency in primiparous women and during the postpartum period |
| Multivitamins and minerals | |
| Nitroglycerin | Pharmaceutical form for sublingual spray administration if excessive uterine activity with a non-reassuring fetal heart rate or prolapsed cord |
| Penicillin G | Pharmaceutical form for parenteral administration in prophylaxis in respect of beta-hemolytic streptococcus |
| Psyllium (mucilage) | Pharmaceutical form for oral administration during the prenatal and postpartum period |
| Ringer's lactate | Pharmaceutical form for parenteral infusion administration for fluid replacement if substantial postpartum loss of blood or if hemorrhage |
| Sodium chloride | Pharmaceutical form for parenteral infusion administration in a concentration of 0.9% for fluid replacement if substantial postpartum loss of blood, if hemorrhage or for dilution |
| Sodium citrate/sodium lauryl sulfate | Pharmaceutical form for rectal administration |
| Synthetic oxytocin | Pharmaceutical form for parenteral administration in prophylaxis or if hemorrhage during the immediate postpartum period |
| Terconazole | Pharmaceutical forms for topical and vaginal administration during the prenatal period in a concentration of 0.4%, if clotrimazole and miconazole are ineffective |
| Vitamin B6 | Pharmaceutical form for oral administration for the treatment of nausea during the prenatal period |
| Vitamin B12 | For use during the prenatal period |
| Vitamin D and calcium (in combination) | Pharmaceutical form for oral administration in prophylaxis |

SCHEDULE II

(s. 1)

DRUGS THAT A MIDWIFE MAY PRESCRIBE OR ADMINISTER TO THE CHILD

| Substances | Specifications and conditions |
|-----------------------------|---|
| Ampicillin | Pharmaceutical form for parenteral administration in newborns having an emergency condition and after a medical consultation |
| Epinephrine | Pharmaceutical forms for parenteral and endotracheal administration in a concentration of 0.1 mg/ml during neonatal resuscitation |
| Erythromycin | Pharmaceutical form for ophthalmic administration in a concentration of 0.5% in prophylaxis in newborns |
| Gentamicin | Pharmaceutical form for parenteral administration in newborns having an emergency condition and after a medical consultation |
| Gentian violet | Pharmaceutical form for topical administration, in a water solution, in a concentration of 1% or less, if nystatin is ineffective |
| Hepatitis B immune globulin | Pharmaceutical form for parenteral administration |
| Hepatitis B vaccine | Pharmaceutical form for parenteral administration |
| Naloxone hydrochloride | Pharmaceutical form for parenteral administration in a concentration of 0.4 mg/ml in newborns having an emergency condition |
| Nystatin | Pharmaceutical form for oral administration, presented in the form of a suspension for the treatment of non-recurrent, non-resistant oral mycosis |
| Penicillin G | Pharmaceutical form for parenteral administration in newborns having an emergency condition and after a medical consultation |
| Sodium chloride | Pharmaceutical form for parenteral infusion administration in a concentration of 0.9% in newborns having an emergency condition or for dilution |
| Vitamin D | Pharmaceutical form for oral administration in breastfed infants |
| Vitamin K1 | Pharmaceutical form for parenteral and oral administration |

Draft Regulation

Midwives Act
(R.S.Q., c. S-0.1)

Midwives

— Examinations and analyses that a midwife may prescribe, conduct or interpret

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 examinations and analyses that a midwife may prescribe, conduct or interpret in the practice of midwifery, adopted by the Office des professions du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation establishes a list of the examinations and analyses that a midwife may prescribe, conduct or interpret and determines the conditions under which a midwife may do so.

The Office foresees that the new measures will have no impact on enterprises, including small and medium-sized businesses.

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

Any person wishing to comment on the draft Regulation may submit comments to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, within the 45-day period. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting the examinations and analyses that a midwife may prescribe, conduct or interpret in the practice of midwifery

Midwives Act
(R.S.Q., c. S-0.1, s. 9)

1. The examinations and analyses that a midwife may prescribe, conduct or interpret are

(1) the examinations and analyses for the mother listed in Schedule I, on the conditions, if applicable, determined in the Schedule;

(2) the examinations and analyses for the child listed in Schedule II; and

(3) the examinations and analyses for the father listed in Schedule III, on the conditions determined in the Schedule.

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

SCHEDULE I

(s. 1)

EXAMINATIONS AND ANALYSES CONCERNING THE MOTHER

| | Prescribe | Conduct | Interpret | Conditions |
|---|------------------|----------------|------------------|---|
| 24-hour proteinuria | X | X | X | After 20 weeks of pregnancy |
| Amniocentesis | X | | | |
| Anatomopathology of placenta, membranes and cord | X | | | |
| Bacteriological cultures of body fluids and bacterial sensitivity test to antibiotics | X | X | X | |
| Biophysical profile | X | | | |
| Blood group and rhesus | X | X | X | |
| Complete blood count | X | X | X | |
| Detection of foetal cells (Kleihauer) | X | X | X | For rhesus negative mothers undergoing surgery or suffering a trauma increasing the risk of foeto-maternal transfusion where no immunoglobulin prophylaxy has been received |
| Ferritin | X | X | X | |
| Foetal monitoring | X | X | X | |
| Folic acid | X | X | X | |
| Glucose tolerance test | X | X | X | |
| Glycemia | X | X | X | |
| Hemoglobin electrophoresis | X | X | | For mothers at risk of hemoglobinopathy |
| Hepatic profile (LDH, ALT, AST, GGT, conjugated and unconjugated bilirubin) | X | X | X | |
| Immune antibodies search | X | X | X | |
| Indirect antiglobulin test | X | X | X | |
| Non-stress test | X | X | X | |
| Obstetric ultrasound | X | | | |

| | Prescribe | Conduct | Interpret | Conditions |
|--|------------------|----------------|------------------|-------------------|
| Papanicolaou's stain test (endocervix, ectocervix and vagina cytology) | X | X | | |
| Pregnancy test (blood B-HCG) | X | X | X | |
| Pregnancy test (urine HCG) | X | X | X | |
| Renal functions studies (BUN, creatinine, protein, albumin, uric acid, urea) | X | X | X | |
| Serological examinations | X | X | X | |
| Serum iron + complement fixation (TIBC) | X | X | X | |
| Serum markers | X | X | | |
| STI screening | X | X | X | |
| Toxicology screening | X | X | X | |
| TSH level | X | X | X | |
| Urianalysis (physical and microscopic) | X | X | X | |
| Vitamin B12 level | X | X | X | |

SCHEDULE II

(s. 1)

EXAMINATIONS AND ANALYSES CONCERNING THE CHILD

| | Prescribe | Conduct | Interpret |
|---|------------------|----------------|------------------|
| Bacteriological cultures of body fluids and bacterial sensitivity test to antibiotics | X | X | X |
| Blood group and rhesus | X | X | X |
| Complete blood count | X | X | X |
| Conjugated and unconjugated bilirubin | X | X | X |
| Direct antiglobulin test (DAT) | X | X | X |
| Genetic disease (PKU) screening | X | X | |
| Glycemia | X | X | X |
| Non-invasive monitoring using pulse oximeter | X | X | X |
| Toxicology screening | X | X | X |

SCHEDULE III

(s. 1)

EXAMINATIONS AND ANALYSES CONCERNING THE FATHER

| | Prescribe | Conduct | Interpret | Conditions |
|----------------------------|------------------|----------------|------------------|--|
| Blood group and rhesus | X | X | X | Test reserved for the biological father of the foetus of a rhesus negative mother |
| Hemoglobin electrophoresis | X | X | | Test reserved for the biological father of the foetus of a mother carrier of sickle cell trait or other hemoglobinopathy to evaluate foetal risk |

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Notices

Notice

Parks Act
(R.S.Q., c. P-9)

Parc national des Lacs-Guillaume-Delisle-et-à-l'Eau-Claire — Creation

Pursuant to Section 4 of the Parks Act (R.S.Q., c. P-9)

Notice is hereby given by Mrs. Line Beauchamp, Minister of Sustainable Development, Environment and Parks, of the intention of the Government of Québec:

1. to create Parc national des Lacs-Guillaume-Delisle-et-à-l'Eau-Claire, in Nunavik, on the territory in the public domain covering a surface area of 15 742 km²;

2. to allow interested persons to submit their written comments on the creation of this park not later than June 9, 2008, to the Direction du patrimoine écologique et des parcs of the Ministère du Développement durable, de l'Environnement et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7.

The map of the proposed boundary and the documentation related to this consultation are available at the Direction du patrimoine écologique et des parcs of the Ministère du Développement durable, de l'Environnement et des Parcs (telephone: 418 521-3907, e-mail: tasikimi@mddep.gouv.qc.ca), at the Kativik Regional Government (telephone: 819 964-2961), at the municipal building of Umiujaq (telephone: 819 331-7000), at the municipal building of Kuujjuarapik (telephone: 819 929-3360) and at the Band Office of Whapmagoostui First Nation (telephone: 819 929-3384).

Public hearings will be held in Umiujaq on June 16 and 17, 2008 and in Kuujjuarapik-Whapmagoostui on June, 18 and 19, 2008. Time and location of these public hearings will be announced later. The Inuit and Cree who wish to make known their comments without preparing a written brief will also be heard.

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

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

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