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Coming into force of Acts

Gouvernement du Québec

O.C. 301-2008, 2 April 2008

An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2004, c. 39)

An Act to amend various legislative provisions concerning retirement (2006, c. 55)

An Act to amend various legislative provisions concerning pension plans in the public sector (2007, c. 43)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions, of the Act to amend various legislative provisions concerning retirement and of the Act to amend various legislative provisions concerning pension plans in the public sector

WHEREAS the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2004, c. 39) was assented to on 17 December 2004;

WHEREAS 1 January 2006 was set as the date of coming into force of sections 68, 101, 122, 176, 192, 210 and 236 of the Act by Order in Council 1234-2005 dated 14 December 2005;

WHEREAS, under section 293 of the Act, the Act came into force on 1 January 2005, except section 6 to the extent that it enacts subdivision 4 of Division IV of Chapter II of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), paragraph 3 of section 47 to the extent that it refers to section 41.7, section 124 to the extent that it enacts Division III.3 of Chapter VI of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), section 136, paragraph 7 of section 137 to the extent that it refers to section 109.8 of the Act respecting the Government and Public Employees Retirement Plan, section 255 to the extent that it enacts Division I.3 of Chapter VI of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), section 262 and paragraph 3 of section 263 to the extent that it refers to section 138.7 of the Act respecting the Pension Plan of Management Personnel, which come into force on the date or dates to be set by the Government;

WHEREAS the Act to amend various legislative provisions concerning retirement (2006, c. 55) was assented to on 14 December 2006;

WHEREAS, under section 73 of the Act, the Act came into force on 14 December 2006, except sections 6, 26 and 53 of the Act, which come into force on the date or dates to be set by the Government;

WHEREAS the Act to amend various legislative provisions concerning pension plans in the public sector (2007, c. 43) was assented to on 21 December 2007;

WHEREAS, under section 190 of the Act, the Act came into force on 21 December 2007, except sections 40, 81 and 158, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date on which this Order in Council is made as the date of coming into force of certain provisions of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions, of the Act to amend various legislative provisions concerning retirement and of the Act to amend various legislative provisions concerning pension plans in the public sector;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT 2 April 2008 be set as the date of coming into force of

— section 6 of the Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions (2004, c. 39) to the extent that it enacts subdivision 4 of Division IV of Chapter II of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), paragraph 3 of section 47 to the extent that it refers to section 41.7, section 124 to the extent that it enacts Division III.3 of Chapter VI of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), section 136, paragraph 7 of section 137 to the extent that it refers to section 109.8 of the Act respecting the Government and Public Employees Retirement Plan, section 255 to the extent that it enacts Division I.3 of Chapter VI of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1),

section 262 and paragraph 3 of section 263 to the extent that it refers to section 138.7 of the Act respecting the Pension Plan of Management Personnel;

— sections 6, 26 and 53 of the Act to amend various legislative provisions concerning retirement (2006, c. 55);

— sections 40, 81 and 158 of the Act to amend various legislative provisions concerning pension plans in the public sector (2007, c. 43).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 313-2008, 2 April 2008

An Act to amend the Building Act and other legislative provisions (2005, c. 22)

— Coming into force of certain provisions

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

WHEREAS the Act to amend the Building Act and other legislative provisions (2005, c. 22) was assented to on 17 June 2005;

WHEREAS, under section 56 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS, by Order in Council 1137-2005 dated 23 November 2005, the provisions of the Act to amend the Building Act and other legislative provisions, except sections 1 to 9, paragraphs 1 and 4 of section 10, paragraph 2 of section 12, sections 13, 14, 29, 39 and 42 to 44, paragraphs 1 to 4 of section 45, and sections 50 to 53, came into force on 1 December 2005;

WHEREAS it is expedient to set 25 June 2008 as the date of coming into force of sections 1 to 9, paragraphs 1 and 4 of section 10, paragraph 2 of section 12, sections 13, 14, 29, 39 and 42 to 44, paragraphs 1 to 4 of section 45, and sections 50 to 53 of the Act;

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

THAT sections 1 to 9, paragraphs 1 and 4 of section 10, paragraph 2 of section 12, sections 13, 14, 29, 39 and 42 to 44, paragraphs 1 to 4 of section 45, and sections 50 to 53 of the Act come into force on 25 June 2008.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8632

Gouvernement du Québec

O.C. 328-2008, 9 April 2008

An Act to amend the Act respecting prescription drug insurance and other legislative provisions (2005, c. 40)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Act respecting prescription drug insurance and other legislative provisions

WHEREAS the Act to amend the Act respecting prescription drug insurance and other legislative provisions (2005, c. 40) was assented to on 13 December 2005;

WHEREAS section 49 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government, except sections 11 and 48 which come into force on 13 December 2005;

WHEREAS, under Order in Council 225-2006 dated 29 March 2006, sections 1, 2 and 19, paragraph 1 of section 22, paragraph 2 of section 27 and sections 30 and 33 to 37 of the Act came into force on 12 April 2006;

WHEREAS, under Order in Council 744-2006 dated 16 August 2006, sections 3 to 7, 12, 13, 18, 21, section 25 to the extent that it enacts the title of Division III.1 and section 70.3 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), and sections 26, 29, 32, 39 to 41, 46 and 47 of the Act came into force on 30 August 2006, and section 14 of the Act came into force on 1 January 2007;

WHEREAS, under Order in Council 241-2007 dated 28 March 2007, sections 9, 15 to 17, 20, paragraph 3 of section 22, section 23 to the extent that it enacts sections 60.1 to 60.3 of the Act respecting prescription drug insurance, section 28 to the extent that it enacts sections 84.1, 84.2 and 84.4 of the Act respecting prescription drug insurance, and sections 38, 42, 44 and 45 of the Act came into force on 11 April 2007;

WHEREAS, under Order in Council 241-2007 dated 28 March 2007, section 8 of the Act came into force on 1 October 2007;

WHEREAS it is expedient to set 21 April 2008 as the date of coming into force of section 10, paragraph 2 of section 22, section 24 and paragraph 1 of section 27 of the Act;

WHEREAS it is expedient to set 1 January 2009 as the date of coming into force of section 25 of the Act to the extent that it enacts sections 70.1 and 70.2 of the Act respecting prescription drug insurance and section 28 of the Act to the extent that it enacts sections 84.3 and 84.5 of the Act respecting prescription drug insurance;

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

THAT section 10, paragraph 2 of section 22, section 24 and paragraph 1 of section 27 of the Act to amend the Act respecting prescription drug insurance and other legislative provisions (2005, c. 40) come into force on 21 April 2008;

THAT section 25 of the Act to the extent that it enacts sections 70.1 and 70.2 of the Act respecting prescription drug insurance and section 28 of the Act to the extent that it enacts sections 84.3 and 84.5 of the Act respecting prescription drug insurance come into force on 1 January 2009.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 306-2008, 2 April 2008

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

Student transportation — Amendments

Regulation to amend the Regulation respecting student transportation

WHEREAS, under section 453 of the Education Act (R.S.Q., c. I-13.3), the Government may regulate student transportation, namely, to determine the stages of the process for awarding contracts for the transportation of students, to provide, for each stage, restrictions and conditions for awarding contracts, to limit the carriers with whom a school board may make agreements, to prescribe the minimum stipulations required to be included in a contract and establish standards in respect of its duration, and whereas a regulation under that section may allow the Minister to exempt contracts for the transportation of students from the application of some of the provisions of that regulation;

WHEREAS, under section 454 of the Act, the Government may, by regulation, establish the composition, mode of operation and functions of the advisory committee on student transportation;

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 student transportation was published in Part 2 of the *Gazette officielle du Québec* of 4 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 Education, Recreation and Sports:

THAT the Regulation to amend the Regulation respecting student transportation, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting student transportation*

Education Act
(R.S.Q., c. I-13.3, ss. 453 and 454)

1. Section 1 of the Regulation respecting student transportation is amended

(1) by striking out “a regional school board or” at the beginning of the definition of “board”;

(2) by adding the following definition after the definition of “educational institution”:

“intermunicipal board of transport” means every intermunicipal board of transport or regional public transport board established under the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., c. C-60.1); (conseil intermunicipal de transport en commun)”;

(3) by replacing the definition of “public transit authority” by the following:

“public transit authority” means every transit authority established under the Act respecting public transit authorities (R.S.Q., c. S-30.01); (organisme public de transport en commun)”.

2. Section 2 is amended

(1) by striking out paragraph 3;

* The Regulation respecting student transportation, made by Order in Council 647-91 dated 8 May 1991 (1991, *G.O.* 2, 1699), was last amended by the regulation made by Order in Council 642-98 dated 13 May 1998 (1998, *G.O.* 2, 2053). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

(2) by replacing paragraphs 5, 6 and 7 by the following:

“(5) the principal of a school of the board;

(6) a representative of the parents’ committee of the board and, where the board provides all or part of the transportation services of another school board, a representative of the parents’ committee of that board;

(7) two school commissioners of the board and, where the board provides all or part of the transportation services of another school board, two commissioners of that board;”;

(3) by adding the following paragraph:

“(11) a representative of each intermunicipal board of transport whose territory intersects with that of the board.”.

3. Section 13 is replaced by the following:

“**13.** A board whose territory intersects with that of a public transit authority or of an intermunicipal board of transport, or an educational institution situated in the territory of such an authority or board must offer to that authority or board, at least 10 days before proceeding with negotiations by agreement or with public tenders, the possibility of providing the transportation service required for the students residing in the territory of the public transit authority or of the intermunicipal board of transport.”.

4. Sections 15.1, 16.1 and 17.1 are struck out.

5. Section 18 is amended by replacing the first paragraph by the following:

“**18.** A board or an educational institution that avails itself of paragraph 2 of section 16 or subparagraph 4 of the second paragraph of section 17 may not grant to any one carrier more than one contract for one vehicle.”.

6. Section 19 is amended by replacing “to 17.1” by “and 17”.

7. Section 20 is amended by replacing “17.1” by “17”.

8. Section 21 is replaced by the following:

“**21.** Public tenders must be called by means of a notice circulated in the electronic tendering system approved by the Government.”.

9. Section 23 is amended

(1) by striking out “que” in the first paragraph of the French text;

(2) by adding the following paragraph at the end:

“Despite the preceding, this section does not apply to a tenderer who shows that the tenderer is a member of a group of carriers providing school busing or transportation services that meets the following conditions:

(1) the group is duly constituted as a non-profit legal person;

(2) the group has at least 50 members who are carriers providing school busing or transportation services;

(3) the members have, collectively, the exclusive use of at least 2,000 buses or minibuses under contract for school busing or transportation purposes for the school year covered by the performance guarantee referred to in the first paragraph; and

(4) the members have solidarily undertaken to carry out, on the same conditions, any school busing or transportation contracts that other group members fail to carry out.”.

10. Section 31 is amended

(1) by replacing “the date of manufacture of their chassis” in paragraph 2 by “the year of the vehicle”;

(2) by adding the following paragraph at the end:

“Despite the preceding, subparagraph 5 does not apply to a carrier who shows that the carrier is a member of a group of carriers providing school busing or transportation services that meets the following conditions:

(1) the group is duly constituted as a non-profit legal person;

(2) the group has at least 50 members who are carriers providing school busing or transportation services;

(3) the members have, collectively, the exclusive use of at least 2,000 buses or minibuses under contract for school busing or transportation purposes for the school year covered by the performance guarantee referred to in subparagraph 5;

(4) the members have solidarily undertaken to carry out, on the same conditions, any school busing or transportation contracts that other group members fail to carry out.”

11. Section 33 is amended by replacing “according to the variation of the consumer price index” by “on the basis of the average change in the monthly consumer price indexes”.

12. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 8 which comes into force on that date or on the date of coming into force of section 11 of the Act respecting contracting by public bodies (2006, c. 29), whichever date is later.

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Gouvernement du Québec

O.C. 314-2008, 2 April 2008

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

Contractors and owner-builders — Professional qualification

Regulation respecting the professional qualification of contractors and owner-builders

WHEREAS, under paragraphs 8 to 18, 19.7, 20 and 38 of section 185 and section 192 of the Building Act (R.S.Q., c. B-1.1), amended by section 63 of chapter 10 of the Statutes of 2005 and by section 45 of chapter 22 of the Statutes of 2005, the Régie du bâtiment du Québec may, by regulation, determine the requirements for the professional qualification of contractors and owner-builders;

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 the professional qualification of contractors and owner-builders was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2007 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS the comments received have been examined;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the professional qualification of contractors and owner-builders, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the professional qualification of contractors and owner-builders

Building Act
(R.S.Q., c. B-1.1, s. 185, 1st par., subpars. 8 to 18, 19.7, 20 and 38 and s. 192; 2005, c. 10, s. 63; 2005, c. 22, s. 45)

CHAPTER I INTERPRETATION

1. In this Regulation, “guarantor” means a natural person doing business alone or an officer who, following examinations under this Regulation or any other method of evaluation considered appropriate by the Régie du bâtiment du Québec under subparagraph 1 of the first paragraph of section 58 of the Building Act (R.S.Q., c. B-1.1), unless the person or officer is exempt therefrom under the Act or one of its regulations, has demonstrated having the knowledge or experience relevant to managing a building undertaking and carrying out construction work, or has been recognized or holds an attestation issued by the Board under section 58.1 of the Act.

2. A member of a partnership, or in the case of a legal person, a director, officer or shareholder holding 20% or more of the voting shares is deemed to be an officer within the meaning of section 45 of the Act; a full-time manager and, for construction work on an owner-builder’s electrical installation, a journeyman electrician who has carried on the trade of electrician for at least two years, is a full-time employee of the owner-builder and supervises such work on behalf of the owner-builder, are also deemed to be officers and are authorized to apply for a licence on behalf of a partnership or legal person.

CHAPTER II LICENCES

DIVISION I LICENCE CLASSES

3. The licence classes are as follows:

- (1) general contractor;
- (2) general owner-builder;
- (3) specialized contractor;
- (4) specialized owner-builder.

4. A general contractor's licence is required of any contractor whose main activity consists in organizing, coordinating, carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the general contractor class, or in making or submitting tenders personally or through an intermediary for the purpose of carrying out or having such work carried out in whole or in part.

5. A general owner-builder's licence is required of any owner-builder whose main activity consists in organizing, coordinating, carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the general owner-builder class.

6. The licence that qualifies the holder in a subclass in the general contractor or general owner-builder class authorizes the holder to carry out or have construction work carried out in that subclass.

Despite the foregoing, a general contractor's or general owner-builder's licence authorizes its holder to carry out construction work in a licence subclass in Schedule II only if that licence subclass is mentioned in a subclass of the licence held.

7. A specialized contractor's licence is required of any contractor whose main activity consists in carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the specialized contractor class, or in making or submitting tenders, personally or through an intermediary, for the purpose of carrying out or having such work carried out in whole or in part.

8. A specialized owner-builder's licence is required of any owner-builder whose main activity consists in carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the specialized owner-builder class.

9. The licence subclasses in the general contractor class are those in Schedule I.

The licence subclasses in the general owner-builder class are those in Schedule I, except subclasses 1.1.1 and 1.1.2, with "general contractor" and "contractor" replaced wherever they appear and with the necessary modifications by "general owner-builder" and "owner-builder" respectively.

10. The licence subclasses in the specialized contractor class are those in Schedules II and III.

The licence subclasses in the specialized owner-builder class are those in Schedule II, with "specialized contractor" and "contractor" replaced wherever they appear and with the necessary modifications by "specialized owner-builder" and "owner-builder" respectively.

11. Related construction work authorized by a licence subclass in Schedule I, II or III must be carried out at the same time as work in that licence subclass.

The holder of a licence subclass may carry out construction work that is similar or related to work in the licence subclass, except work reserved exclusively for master pipe-mechanics and electrical contractors.

DIVISION II ISSUE, AMENDMENT OR MAINTENANCE OF A LICENCE

12. A natural person applying for the issue or amendment of a licence must provide the Board with the following information and documents:

(1) for a contractor's licence:

(a) the person's name, home address, date of birth, telephone number and, where applicable, the business number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(b) if the application is made on behalf of a partnership or legal person, the person's name, the address and telephone number of its head office and, where applicable, the business number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and the name, title, home address, date of birth and telephone number of every officer and, if the partnership or legal person is constituted for the purpose of carrying out construction work on only one construction project, the name of the project;

(c) in the absence of the registration required by subparagraph *b*, a copy of the constituting act or shareholders agreement, in the case of a legal person, and a copy of the contract of partnership in the case of a partnership;

(d) a statement indicating that the person is applying for the licence on behalf of the partnership or legal person or that the person is a guarantor or wishes to qualify as such for that partnership or legal person and is designated to sign the application;

(e) the number or title of each licence subclass for which the person or any officer of the partnership or legal person on whose behalf the application is made wishes to qualify;

(f) if applicable, proof of the person's participation in a guaranty plan or proof of participation of the partnership or legal person on whose behalf the licence application is made in a guaranty plan, in accordance with sections 77 and 78 of the Act;

(g) the security required by Division V or proof of issue pursuant to an agreement between the Board and the surety;

(h) a statement that the person, partnership or legal person on whose behalf the application is made or any of its officers has not, in the five years preceding the application, been convicted of an offence under a fiscal law or of an indictable offence triable only on indictment and connected with the business the contractor intends to carry on in the construction industry or, in the opposite case, a statement giving the title of the Act under which the person was convicted, or proof of pardon;

(i) in case of bankruptcy, a copy of the order releasing the person or any officer of the partnership or legal person on whose behalf the licence application is made, and any information concerning the person's involvement or that of any officer as an officer of a partnership or legal person that went bankrupt less than three years before the date of the application;

(j) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer of a partnership or legal person in the 12 months preceding the termination of the contractor activities of that partnership or legal person or, in the opposite case, a statement giving the reason for the termination;

(k) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer of a partnership or legal person that was liquidated by a court

of competent jurisdiction because of insolvency within the meaning of the Winding-up and Restructuring Act (R.S.C. 1985, c. W-11) or, in the opposite case, a copy of the winding-up order;

(l) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer for a contractor who terminated its activities because the contractor was insolvent within the meaning of the Bankruptcy and Insolvency Act (R.S.C. 1985, c. B-3); and

(m) a statement that the person or the partnership or legal person on whose behalf the licence application is made has not been convicted of an offence under the Consumer Protection Act (R.S.Q., c. P-40.1), the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) or the Act respecting occupational health and safety (R.S.Q., c. S-2.1) or, in the opposite case, a statement giving the title of the Act under which the person was convicted; and

(2) for an owner-builder's licence:

(a) the information and documents required by subparagraphs *a* to *e*, *j* and *m* of subparagraph 1;

(b) the location of each site where the owner-builder intends to carry out activities referred to in section 5 or 8; and

(c) if the licence application is for a person or partnership other than a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1), a statement attesting to the rights of the person or those of the partnership or legal person on whose behalf the licence application is made in the immovable involved in the proposed construction work.

Every licence application must include the fees and charges payable under section 53 and an attestation that the information provided under the first paragraph is true, and be signed by the natural person making the application.

Despite the first paragraph of section 89 of the Regulation respecting the guarantee plan for new residential buildings, approved by Order in Council 841-98 dated 17 June 1998, a licence holder's participation in a guaranty plan is presumed to be renewed for the purposes of this Regulation for the term of the licence, unless written notice to the contrary is given to the Board by the administrator of the plan or by the licence holder.

13. An application for the issue or amendment of a licence is deemed to be received only if it contains all the required information and documents and the fees and charges payable under this Regulation.

14. The holder of a licence must notify the Board immediately of any change in the information or documents provided under section 12.

15. The fees and charges under section 53 to maintain a licence are payable once a year, on the anniversary date of its issue or, in the case of a licence issued on 25 June 2008 pursuant to section 53 of chapter 22 of the Statutes of 2005, on the anniversary of the expiry date of the replaced licence.

DIVISION III CONTENT OF A LICENCE

16. A licence contains

(1) the name of the contractor or owner-builder who holds the licence and any other firm name the contractor or owner-builder is legally authorized to use in Québec that is related to the functions of contractor or owner-builder;

(2) the address of the contractor or owner-builder;

(3) the names of the guarantors and their capacity;

(4) in the case of a partnership or legal person constituted for the purpose of carrying out construction work on only one construction project, the name of the project;

(5) the date of issue;

(6) the yearly deadline for payment of the fees and charges under section 53 to maintain the licence;

(7) the restriction period, if any, as regards the obtention of a public contract as provided in section 65.1 of the Act;

(8) in the case of a licence issued to a trustee in bankruptcy or a liquidator in accordance with section 76 of the Act, the validity period of the licence;

(9) the classes and subclasses of construction work that the holder of the licence is authorized to carry out or have carried out;

(10) in the case of an owner-builder's licence, the location of each site referred to in subparagraph *b* of subparagraph 2 of the first paragraph of section 12; and

(11) the signature of the president and chief executive officer or a vice-president and that of the secretary of the Board.

DIVISION IV EXAMINATION OF KNOWLEDGE

§1. *Conditions for admission to and passing of examinations*

17. A person is eligible, for each application for the issue or amendment of a licence, for the examination for the licence class or subclass applied for.

To pass the examination, the person must obtain the passing mark for each examination module; that mark remains valid for a five-year period for an application for the issue or amendment of a licence, or for a three-year period in the case provided for in the first paragraph of section 58.1 of the Act.

18. A person who fails an examination or examination module may register for only one supplemental examination within 30 days of the date of the Board's ruling regarding the failure.

A person who fails a supplemental examination or examination module may not sit for another examination or examination module for a period of six months after the date of the Board's ruling regarding the failure.

19. The examination of a person who is admitted to an examination sitting under false pretenses or who disrupts the examination proceedings by committing fraud, plagiarizing or cheating or by cooperating in such acts is cancelled and that person may not be admitted to any examination or examination module for a period of one year after the date of cancellation by the Board.

§2. *Exemption from examination*

20. A person is exempt from an examination under subdivision 3 if the person has successfully completed a training program in the subject-matter of the examination related to the licence subclass applied for that is recognized by the Board.

A person is also exempt from an examination under subdivision 3 or an examination module if the person meets any of the following conditions:

(1) if the examination is under section 21, the person has acted, in the five years preceding the licence application, as an administration guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass;

(2) if the examination is under section 22, the person has acted, in the five years preceding the licence application, as a construction site safety management guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass;

(3) if the examination is under section 23, the person has acted, in the five years preceding the licence application, as a project and site management guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass; or

(4) if the examination is under section 24, the person has acted, in the five years preceding the licence application, as a construction work guarantor for the licence subclass applied for.

An examination exemption granted to a person under false pretenses is cancelled and the person may not be admitted to any examination or examination module for a period of one year after the date of cancellation by the Board.

§3. Examinations

— Management of a building undertaking

21. The examination of knowledge in administration is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) financial management;
- (2) management;
- (3) labour relations; and
- (4) statutes and regulations.

22. The examination of knowledge in safety management on construction sites is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) prevention management;
- (2) compensation files management;
- (3) assessment management; and
- (4) statutes and regulations.

23. The examination of knowledge in project and site management is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) management of construction activities;
- (2) reading and interpreting plans and specifications;
- (3) assessment of costs and tenders;
- (4) quality control activities; and
- (5) statutes and regulations.

— Carrying out of construction work

24. The examination of knowledge in the carrying out of construction work is established by the Board in relation to the licence subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) knowledge of the standards, regulations and construction techniques specific to construction work in the licence subclass; and
- (2) reading and interpreting plans and specifications specific to construction work in the licence subclass.

DIVISION V SECURITY

25. Every contractor must provide the security required by section 84 of the Act to compensate clients who sustain a loss following non-performance or performance of construction work if the loss results directly from instalments paid, failure to carry out construction work or faulty work or defects discovered in the year following completion of the work. The security does not cover the claims of persons who took part in the construction work, damages resulting from delays in construction work, damages for moral injury or punitive damages.

26. Despite section 25, security is not required if licences in subclasses 1.1.1 and 1.1.2 in Schedule I only are applied for.

27. The amount of security required is established as follows:

- (1) \$20,000 if a licence in a subclass in the general contractor class is applied for; and

(2) \$10,000 if licences only in the subclasses in the specialized contractor class are applied for.

28. Security is to be provided in the form of

(1) an individual or group surety insurance policy issued in favour of the Régie du bâtiment du Québec;

(2) a certified cheque or a bank draft to the order of the Minister of Finance; or

(3) an irrevocable and unconditional letter of credit issued in favour of the Régie du bâtiment du Québec.

29. The security referred to in paragraph 1 of section 28 may be issued only by a legal person authorized to act as surety under the Bank Act (S.C. 1991, c. 46), the Act respecting financial services cooperatives (R.S.Q., c. C-67.3), the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01) or the Act respecting insurance (R.S.Q., c. A-32) and, in the case of a group surety insurance policy, an association of contractors may offer the security to its members solidarily with a legal person authorized under this section.

The security referred to in paragraphs 2 and 3 of section 28 may be issued only by a bank, a savings and credit union or a trust company referred to in one of the Acts mentioned in the first paragraph.

30. The security referred to in paragraph 2 of section 28 may be provided only by the contractor for itself; in such case, the contractor must fulfil the same obligations as the surety, in addition to the contractor's obligations as principal debtor.

31. The security must be drawn up on the form containing the elements required by sections 32 to 37 that is made public by the Board. It must indicate the issue date and be signed by the surety or by the contractor if the security is provided by the latter and, at the surety's request, by the principal debtor.

In the case of a group surety insurance policy, the policy must be filed with the Board and the association of contractors must, at the Board's request, provide the Board with the information required for acceptance of the policy.

32. The surety is required to fulfil its obligation up to the amount required by section 27.

Despite the foregoing, in the case of security provided by a group surety insurance policy for the members of an association of contractors, the total amount of the policy is established as follows:

(1) \$250,000 if the association has fewer than 1,000 members;

(2) \$500,000 if the association has a minimum of 1,000 members but fewer than 5,000 members; and

(3) \$1,000,000 if the association has 5,000 members or more.

33. The surety must undertake to be solidarily liable with the contractor towards the Board, in the case of individual security, or with every member of the group in the case of a group surety insurance policy, to compensate in principal, interest and costs, up to the amount of security required, any client who has a liquidated claim related to a loss referred to in section 25 that is evidenced by a final judgment rendered against the contractor or surety otherwise than on an acquiescence in the demand under articles 457 to 461 of the Code of Civil Procedure (R.S.Q., c. C-25), or by an agreement or a transaction to settle the dispute made between the client and the contractor, or the syndic, and the surety. That undertaking must bind the administrators, heirs and legal representatives of the surety.

34. If the security is provided by the contractor for itself, the contractor must undertake to pay, up to the amount of security required, the principal, interest and costs awarded by a final judgment rendered against the contractor or agreed upon in an agreement or a transaction between the client and the contractor or syndic and settling a dispute arising from the compensation of a client who sustained a loss referred to in section 25. The undertaking must bind the directors, heirs and legal representatives of the contractor.

35. The surety must waive the benefits of discussion and division and is subrogated to the rights of the client compensated up to the amount paid by the surety.

36. The security must be valid for the term of the licence and must be provided without an expiry date.

The surety or contractor may terminate the security only on written notice of at least 60 days to the Board.

If the contractor's licence ceases to have effect because the contractor did not pay the fees and charges required to maintain the licence when they became due, the security remains valid for any new licence issued to the contractor provided that the new licence is issued within 60 days of the due date.

37. Even if the security has expired, the obligations of the surety continue to apply in respect of construction work if

(1) the work pertains to a contract entered into while the security was in force or the work was performed while the security was in force; and

(2) no more than two years have elapsed since the cause of action arose before a civil lawsuit is filed or an agreement or transaction is made.

38. Each licence holder covered under a group surety insurance policy must be identified by a member certificate stating

- (1) the name of the surety;
- (2) the name of the group for which the surety is to act;
- (3) the number of the certificate of the group member;
- (4) the amount of security required under section 27;

(5) the number of the group surety insurance policy and its date of issue;

(6) an attestation that the licence holder is a member of the group and is covered by the group surety insurance policy; and

(7) the signature of a duly authorized representative of the surety or the association of contractors and the date of issue.

39. Subject to subparagraph *g* of paragraph 1 of the first paragraph of section 12, the security forms for an individual or group surety insurance policy, an irrevocable and unconditional letter of credit, an undertaking provided by the contractor for itself and member certificates are kept by the Board.

The security referred to in paragraph 2 of section 28 must be forwarded by the Board to the Minister of Finance who receives it on deposit under the Deposit Act (R.S.Q., c. D-5) until the expiry date and, thereafter, for a five-year period or until the 90th day after the expiry of the time for appealing a final judgment disposing of a civil remedy declared to the Board and for which the security could guarantee payment, whichever is the longer period.

40. The security to which this Division applies is required to guarantee, for the term of the security,

(1) first, the compensation in principal, interest and costs of any natural person having a liquidated claim related to a loss referred to in section 25 and evidenced by a final judgment rendered against the contractor or

the surety, or by an agreement or transaction made between the client and the contractor or the syndic and the surety to settle a dispute; and

(2) second, the compensation of any other client, on the conditions mentioned in subparagraph 1.

Despite the foregoing, clients may not be compensated from the security to which this Division applies for any part of their claim for which they may obtain compensation under other security issued by a person authorized to act as surety under the first paragraph of section 29; every claim for compensation from the security must be accompanied by a statement from the client attesting that the client cannot obtain compensation from other security.

41. Where the Board receives a copy of a final judgment, agreement or transaction referred to in section 40 that settles a dispute, the Board is to open a claim file on the contractor concerned and so notify the surety. Every copy of a judgment, agreement or transaction received thereafter must be entered in the file.

In the case of more than one surety, the claim is made to the surety having issued the security that was in force at the time the contract was entered into, evidenced by a written document or the payment of an instalment. Otherwise, the claim is made to the surety having issued the security that was in force at the commencement of the work.

42. Where the surety receives from a person other than the Board a copy of a final judgment, agreement or transaction referred to in section 40 that settles a dispute, the surety must forward the copy to the Board without giving effect to the claim.

43. At the end of each six-month period following the opening of a claim file, the Board is to pay, in principal, interest and costs, the claims received during the six preceding months. To that end, the Board must,

(1) if the security was provided by means of an individual or group surety insurance policy or an irrevocable and unconditional letter of credit, notify the surety by sending the surety a copy of the judgments, agreements or transactions with instructions to remit to the Board the sums necessary to satisfy the claims; or

(2) if the security was provided by means of a certified cheque or bank draft, request the Minister of Finance to remit to the Board the sums necessary to satisfy the claims.

The surety or the Minister of Finance is to remit to the Board the sums necessary to satisfy the claims within 30 days of receipt of a notice or request to that effect.

44. If the total amount of the claims exceeds the sums available to satisfy the claims on the date of the notice or request made under the first paragraph of section 43, the Board is to satisfy in full all the claims from natural persons, if the sums available are sufficient; otherwise, the Board is to satisfy the claims on a pro rata basis.

If sums are still available once the claims from natural persons have been satisfied, the Board is to satisfy the claims from the other clients on a pro rata basis.

45. Where a judgment, agreement or transaction is executed in accordance with section 43, the contractor must replenish the security provided so that it meets the requirements of section 27 at all times.

In the case of a group surety insurance policy, the total amount of the policy must be replenished by the surety every six months after the date on which the policy is filed with the Board.

CHAPTER III SPECIAL CASES OF LICENCE APPLICATION

46. A natural person, whether or not the person holds a licence, may apply for a licence on behalf of more than one partnership or legal person if the person holds 50% of the shares of those partnerships or 50% of the voting shares of those legal persons and the person has not waived the rights attaching to the person's participation or shares.

Despite the first paragraph, a natural person who, on 30 June 1992, held a contractor's licence and was the guarantor for a partnership or legal person as an officer may, for the same licence subclasses, remain the guarantor for that partnership or legal person.

Despite the first paragraph, a natural person who, on 30 June 1992, did not hold a contractor's licence but was the guarantor for more than one partnership or legal person as an officer may, for the same licence subclasses, remain the guarantor for those partnerships or legal persons.

47. A natural person who is the guarantor for a legal person holding a licence and holding 50% of the voting shares of one or more legal persons, and who has not waived the rights attaching to the voting shares may apply for a licence on behalf of those legal persons.

Despite the first paragraph, a natural person who, on 30 June 1992, was a guarantor for more than one legal person as an officer may, for the same licence subclasses, remain the guarantor for those legal persons.

48. A natural person who is the guarantor for a legal person holding a licence may apply for a licence on behalf of a legal person controlled by or affiliated with that legal person.

Legal persons are affiliated if one is controlled by the other.

A legal person is controlled by another legal person if the latter owns 50% of the voting shares and has not waived the rights attaching to those shares.

49. A natural person who holds a contractor's licence may apply for a contractor's licence on behalf of a partnership or legal person constituted for the purpose of construction work on a single construction project and for the same licence subclasses the person already holds, if the person is a member of the partnership or a shareholder holding voting shares of the legal person and the person has not waived the rights attaching to the person's participation or shares.

A natural person may make such an application on behalf of more than one partnership or legal person thus constituted, provided that the person meets the conditions mentioned in the first paragraph in respect of each partnership or legal person.

50. A natural person who is the guarantor for a partnership or legal person that holds a contractor's licence and is a member of one or more partnerships or a shareholder holding voting shares of one or more legal persons constituted for the purpose of construction work on a single construction project may, for the same licence subclasses held, apply for a contractor's licence on behalf of those partnerships or legal persons. That partnership or legal person must not have waived the rights attaching to its participation or shares.

51. A partnership or person may hold a contractor's licence and an owner-builder's licence concurrently.

52. A natural person may apply for a contractor's licence and an owner-builder's licence on behalf of the same partnership or legal person.

CHAPTER IV FEES AND CHARGES

53. The fees and charges payable as regards the professional qualification of building contractors and owner-builders are as follows:

	Fees	Charges
(1) application for the issue of a licence:		
(a) for one or more licence subclasses in Schedule I:	\$630	\$290
(b) for one or more licence subclasses in Schedules II and III, with one or more licence subclasses in Schedule I:	\$630	\$290
(c) for one or more licence subclasses in Schedules II and III, without any licence subclass in Schedule I:	\$315	\$290
(2) application for an amendment of a licence comprising only licence subclasses in Schedules II and III, to provide for an addition or replacement of one or more licence subclasses in Schedule I, with or without the addition or replacement of a guarantor:	\$315	\$290
(3) application for an amendment of a licence comprising only licence subclasses in Schedule I, to provide for an addition or replacement of one or more licence subclasses in Schedules II and III, with or without the addition or replacement of a guarantor:	None	\$290

	Fees	Charges
(4) application for an amendment of a licence without the addition or replacement of a licence class		
(a) with the addition or replacement of a guarantor:	None	\$75 per guarantor
(b) with the addition or replacement of one or more licence classes:	None	\$75
(5) maintenance of a licence:		
(a) for one or more licence subclasses in Schedule I:	\$630	\$75
(b) for one or more licence subclasses in Schedules II and III, with one or more licence subclasses in Schedule I:	\$630	\$75
(c) for one or more licence subclasses in Schedules II and III, without any licence subclass in Schedule I:	\$315	\$75
(6) examination under subparagraph 1 of the first paragraph of section 58 of the Act concerning an application for the issue or amendment of a licence or an exemption from an examination provided for in the first paragraph of section 20:		\$75 per person, per examination or per exemption granted
(7) any other means of evaluation referred to in subparagraph 1 of the first paragraph of section 58 of the Act concerning an application for the issue or amendment of a licence:		

	Fees	Charges
(a) in the management of a building undertaking:		
i. knowledge in administration:		\$625 per person
ii. knowledge in safety management on construction sites:		\$625 per person
iii. knowledge in project and site management:		\$625 per person
(b) in the carrying out of construction work:		\$625 per person, per subclass
(8) application for the review of a ruling of the Board concerning the issue, amendment, suspension or cancellation of a licence or of a ruling under section 58.1 of the Act:		\$290

54. The fees set out in paragraph 2 of section 53 for a licence amendment application are reduced by 50% if the due date of the payment of the licence maintenance fees and charges occurs within six months of the application.

55. The charges payable under paragraphs 1 to 4 of section 53 are doubled if priority processing is requested.

56. The fees payable under section 53 are not reimbursed by the Board following the suspension, cancellation or relinquishment of a licence.

The charges payable under section 53 are not reimbursed by the Board, except if the Board allows an application for a review of a ruling.

Despite the foregoing, the Board reimburses the holder for the licence fees and charges paid under section 53 in relation to a licence obtained under section 49 or 50 for construction work on a single construction project if the holder's tender is rejected, on receipt by the Board, on or before the thirtieth day following the date on which the tender rejection notice is received, of a document from the holder requesting the licence be relinquished and attest-

ing that the tender was rejected and that no construction work was carried out after the licence was issued. The reimbursement does not, however, include additional charges paid under section 55 for a priority processing request.

CHAPTER V TRANSITIONAL AND FINAL

57. Licences issued pursuant to section 53 of chapter 22 of the Statutes of 2005 specify the licence classes and subclasses which, under Schedule IV, correspond to those mentioned on the replaced licence, as well as the capacity of the guarantors, as provided in sections 65 to 68.

58. If a licence valid on 24 June 2008 contains a public contract restriction under section 65.1 of the Act, the Board is to indicate on the replacement licence it issues pursuant to section 53 of section 22 of the Statutes of 2005 the period for which the restriction remains in effect, where applicable, based on data respecting the licence holder transmitted to it by the Commission de la construction du Québec under section 123.4.4 of the Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20).

If a licence valid on 24 June 2008 does not contain a public contract restriction but would have contained such a restriction on its renewal under the regulation replaced by section 78 of this Regulation, the Board is to indicate the expiry date for payment to maintain the licence, that the licence contains such a restriction and the period for which the restriction applies, based on the data transmitted by the Commission de la construction du Québec.

59. Despite section 25, a contractor holding a licence issued on 25 June 2008 pursuant to section 53 of chapter 22 of the Statutes of 2005 and whose replaced licence would have expired before 25 September 2008, must provide the security required by Division V of Chapter II on or before 25 September 2008.

60. Despite section 25, a contractor holding a licence issued on 25 June 2008 pursuant to section 53 of chapter 22 of the Statutes of 2005 and whose replaced licence would have expired on or after 25 September 2008, must provide the security required by Division V of Chapter II not later than the expiry date for payment to maintain the licence.

61. Until the security required by Division V of Chapter II has been provided, a contractor to which section 59 or 60 applies must provide the security referred to in section 297.2 of the Act and continue to meet the solvency conditions that applied under the regulation replaced by section 78 of this Regulation.

62. The deposit with the Board of the security required by Division V of Chapter II terminates, for the future, the security provided pursuant to section 297.2 of the Act, without the surety having to give the 60-day prior notice required by the third paragraph of section 85 of the Regulation of the Régie des entreprises de construction du Québec (R.R.Q., 1981, c. Q-1, r.2).

63. Despite the second paragraph of section 6, a general contractor that, on 24 June 2008, was authorized to carry out construction work referred to in Schedule II is authorized to carry out the work until 24 June 2010.

64. In the case of an owner-builder's licence issued before 25 June 2008 that became void on that date because it does not contain any of the licence subclasses in Schedule I or Schedule II, the Board is to reimburse the owner-builder for the fees paid on the basis of the number of full months between 25 June 2008 and the expiry date of the licence.

The Board is also to reimburse the holder of a licence issued before 25 June 2008 containing only licence subcategory 4230.2 in Schedule B to the Regulation respecting the professional qualification of building contractors and owner-builders.

65. A person who, on 24 June 2008, is a guarantor in administrative management becomes an administration guarantor.

66. A person who, on 24 June 2008, is a guarantor in safety management on building sites becomes a construction site safety management guarantor.

67. A person who, on 24 June 2008, is a guarantor in construction work management becomes a project and site management guarantor.

68. A person who, on 24 June 2008, is a guarantor in construction work management for a licence subclass which, under Schedule IV, corresponds to a licence subclass in Schedule I or Schedule II, becomes a construction work guarantor in the corresponding licence subclass.

69. A person who, on 24 June 2008, holds a recognition or attestation in administrative management issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be an administration guarantor.

A person who, before 25 June 2008, obtained a passing mark for all the modules of the examination of skills related to management described in section 20 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the

period during which the marks are granted pursuant to the first paragraph of section 21 of that Regulation, be an administration guarantor.

70. A person who, on 24 June 2008, holds a recognition or attestation in safety management on construction sites issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a construction site safety management guarantor.

A person who, before 25 June 2008, obtained a passing mark for all the modules of the examination of skills related to managing safety on construction sites described in section 16 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 17 of that Regulation, be a construction site safety management guarantor.

71. A person who, on 24 June 2008, holds a recognition or attestation in construction work management issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a project and site management guarantor.

A person who, before 25 June 2008, obtained a passing mark for all the modules of the examination of skills related to managing construction work described in section 12 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 13 of that Regulation, be a project and site management guarantor.

72. A person who, on 24 June 2008, holds a recognition or attestation in construction work management issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a construction work guarantor for a licence subclass in Schedule I or Schedule II which, under Schedule IV, corresponds to a licence subcategory for which the person held a recognition or attestation.

A person who, before 25 June 2008, obtained a passing mark for all the modules of the examination of skills related to managing construction work described in section 12 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 13 of that Regulation, be a construction work guarantor for a licence subclass in Schedule I or Schedule II which, under Schedule IV, corresponds to a licence subcategory for which the person passed all the examination modules.

73. A person is exempt from the examination under section 21 if, in the five years preceding the person's application for a licence but before 25 June 2008, the person was a guarantor in administrative management.

74. A person is exempt from the examination under section 22 if, in the five years preceding the person's application for a licence but before 25 June 2008, the person was a guarantor in safety management on construction sites.

75. A person is exempt from the examination under section 23 if, in the five years preceding the person's application for a licence but before 25 June 2008, the person was a guarantor in construction work management.

76. A person is exempt from the examination under section 24 if, in the five years preceding the person's application for a licence but before 25 June 2008, the person was a guarantor in a licence subclass which, under Schedule IV, corresponds to the licence subclass applied for.

77. The provisions of the second paragraph of section 18 apply only if the ruling of the Board regarding the failure is made in respect of an application received by the Board after 25 June 2008.

78. This Regulation replaces the Regulation respecting the professional qualification of building contractors and owner-builders approved by Order in Council 876-92 dated 10 June 1992.

79. This Regulation comes into force on 25 June 2008.

SCHEDULE I

LICENCE SUBCLASSES IN THE GENERAL CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 9

1.1.1 Contractor – new residential buildings covered by a guaranty plan, Class I

This subclass authorizes construction work relating to

- a single family dwelling, duplex or town house, whether or not it is held in divided co-ownership;
- a multifamily building, from a duplex to a quintuplex, that is not held in divided co-ownership;
- a multifamily building of more than 5 units, held by a non-profit organization or a cooperative and not held in divided co-ownership.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II, relating to a new residential building covered by this subclass.

1.1.2 Contractor – new residential buildings covered by a guaranty plan, Class II

This subclass authorizes construction work relating to a multifamily building held in divided co-ownership, of combustible construction or non-combustible construction, the latter comprising no more than 4 private portions stacked one above the other.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II, relating to a new residential building covered by this subclass.

In this subclass,

“combustible construction” means a combustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;

“non-combustible construction” means a non-combustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada.

1.2 Contractor – small buildings

This subclass authorizes construction work relating to

– buildings not referred to in subclass 1.1.1 or 1.1.2 that are referred to in Part 9 of the National Building Code – Canada 1995 (NRCC 38726E) as adopted by Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000, without regard to the exemptions in Division II of the Regulation respecting the application of the Building Act, made by Order in Council 954-2000 dated 26 July 2000;

– buildings referred to in subclasses 1.1.1 and 1.1.2 and in Part 9 of the National Building Code, to the extent that the work is subcontracted on behalf of the holder of a licence in subclass 1.1.1 or 1.1.2;

– tents referred to in paragraph 2 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II relating to a building or a tent referred to in this subclass.

Lastly, it authorizes similar or related construction work.

1.3 Contractor – all buildings

This subclass authorizes construction work on any building, including those of subclass 1.2, and construction work on inflatable structures referred to in paragraph 2 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work relating to a new residential building in this subclass to the extent that the work is subcontracted on behalf of the holder of a licence in subclass 1.1.1 or 1.1.2.

This subclass authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II relating to a building or inflatable structure covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.4 Contractor – roads and mains

This subclass authorizes construction work relating to roads and public thoroughfares, sewers, water mains, pipelines, railroad structures and tunnels.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II relating to civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6, but only to have it carried out when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.5 Contractor – civil engineering structures

This subclass authorizes construction work relating to civil engineering structures made of reinforced concrete, metal or other material and electric generating works.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II relating to civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6 but only to have it carried out, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.6 Contractor – underwater civil engineering

This subclass authorizes construction work relating to underwater civil engineering structures related to water intakes, sewer outlets, bridge piers and caissons.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.7 Contractor – telecommunications, transmission, transformation and distribution of electric power

This subclass authorizes construction work relating to electric power transformation and telecommunications stations and overhead and underground lines for electric power transmission, dispatching and distribution, and for telecommunications.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II when it is related to civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6, but only to have it carried out, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.8 Contractor – petroleum equipment installation

This subclass authorizes construction work relating to installations for the use, storage or distribution of petroleum products and similar or related construction work.

1.9 Contractor – building mechanicals

Subject to the second paragraph of section 6 of this Regulation, this subclass authorizes construction work relating to building mechanicals of a building, facilities intended for use by the public or civil engineering structures, such as

heating, ventilation, refrigeration, plumbing, fire protection and their control systems, as well as insulation and emergency electrical supply systems.

It also authorizes construction work in a subclass of Schedule III that is not already authorized by the first paragraph, when such work is part of a project related to building mechanicals of buildings, facilities intended for use by the public or civil engineering structures.

Lastly, it authorizes similar or related construction work.

1.10 Contractor – mechanical lifts

This subclass authorizes construction work relating to mechanical lifts and conveyors referred to in paragraph 7 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II, when it is related to a mechanical lift or conveyor covered by this subclass.

Lastly, it authorizes similar or related construction work.

SCHEDULE II

LICENCE SUBCLASSES IN THE SPECIALIZED CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 10

- | | |
|---|---|
| <p>2.1 Contractor – drilled wells</p> <p>This subclass authorizes construction work relating to the sinking of wells and water collection, and similar or related construction work.</p> | <p>It also authorizes construction work in subclass 3.2 of Schedule III.</p> <p>Lastly, it authorizes similar or related construction work.</p> |
| <p>2.2 Contractor – non-drilled water collection structures</p> <p>This subclass authorizes construction work relating to non-drilled water collection structures such as shallow wells and springwater collection, and similar or related construction work.</p> | <p>4.1 Contractor – masonry structures</p> <p>This subclass authorizes construction work relating to structural masonry and masonry outer wall.</p> <p>It also authorizes construction work in subclass 4.2 of Schedule III.</p> <p>Lastly it authorizes similar or related construction work.</p> |
| <p>2.3 Contractor – underground water pumping systems</p> <p>This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics or electrical contractors relating to underground water pumping systems, and similar or related construction work.</p> | <p>5.1 Contractor – metallic structures and prefabricated concrete elements</p> <p>This subclass authorizes construction work relating to metallic structures and steel structural elements as well as structural assembly work using prefabricated concrete elements.</p> <p>It also authorizes construction work in subclass 5.2 of Schedule III.</p> <p>Lastly, it authorizes similar or related construction work.</p> |
| <p>2.4 Contractor – private sewerage systems</p> <p>This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to building sewage treatment, and similar or related construction work.</p> | <p>6.1 Contractor – wood structures</p> <p>This subclass authorizes construction work relating to wood structures.</p> <p>It also authorizes construction work in subclass 6.2 of Schedule III.</p> <p>Lastly, it authorizes similar or related construction work.</p> |
| <p>2.6 Contractor – piles and special foundations</p> <p>This subclass authorizes construction work relating to soil mechanics such as piles and caissons, cofferdams, tiebacks, underpinning or grouting of soil and rock.</p> <p>It also authorizes construction work in subclass 2.5 of Schedule III.</p> <p>Lastly, it authorizes similar or related work.</p> | <p>10. Contractor – solid fuel local heating systems</p> <p>This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics or electrical contractors relating to solid fuel local heating systems, such as stoves and prefabricated fireplaces, and similar or related construction work.</p> |
| <p>2.8 Contractor – blasting</p> <p>This subclass authorizes construction work relating to drilling, loading of holes and firing explosives and similar and related construction work.</p> | |
| <p>3.1 Contractor – concrete structures</p> <p>This subclass authorizes construction work relating to cast or precast structural concrete.</p> | |

11.1 Contractor – pressurized industrial or institutional piping

This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics relating to the installation of pressurized industrial or institutional piping, and similar or related construction work.

13.1 Contractor – lightning protection

This subclass authorizes construction work that is not exclusively reserved for electrical contractors relating to lightning protection installations, and similar or related construction work.

13.2 Contractor – fire alarm systems

This subclass authorizes construction work that is not exclusively reserved for electrical contractors relating to fire alarm systems, and similar or related construction work.

13.3 Contractor – fire extinguishing system

This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics relating to automatic water sprinkler systems, fire protection standpipe, and similar or related construction work.

13.4 Contractor – local fire extinguishing systems

This subclass authorizes construction work relating to local fire extinguishing systems using a product stored in a tank and similar or related construction work.

14.1 Contractor – passenger and freight elevators

This subclass authorizes construction work that is not exclusively reserved for electrical contractors relating to passenger and freight elevators, dumbwaiters, escalators, moving walks and material lifts governed by the current edition of CAN/CSA B44 Safety Code for Elevators and Freight Elevators, rendered applicable by Chapter IV of the Construction Code approved by Order in Council 895-2004 dated 22 September 2004 and defined in that Code, and related construction work.

14.2 Contractor – lifts for persons with physical disabilities

This subclass authorizes construction work that is not reserved exclusively for electrical contractors relating to lifts for persons with physical

disabilities governed by the current edition of standards CAN/CSA B355 Lifts for Persons with Physical Disabilities and CAN/CSA B613 Private Residence Lifts for Persons with Physical Disabilities, rendered applicable by Chapter IV of the Construction Code and defined in those standards, and related construction work.

14.3 Contractor – other types of elevators

This subclass authorizes construction work that is not reserved exclusively for electrical contractors relating to elevators not in subclass 1.10 provided for in Schedule I and in subclasses 14.1 and 14.2 and related construction work.

15.1 Contractor – warm air heating systems

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act (R.S.Q., c. M-4) relating to warm air heating systems.

It also authorizes, even if it is not reserved exclusively for master pipe-mechanics, construction work relating to propane gas burners part of warm air heating systems and construction work in subclass 15.1.1.

Lastly, it authorizes related construction work.

15.1.1 Contractor – warm air heating systems for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work relating to warm air heating systems, including propane gas burners that are part of them.

It also authorizes construction work relating to heating systems referred to in the first paragraph that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.2 Contractor – natural gas burners

This subclass authorizes construction work that is reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act relating to natural gas combustion systems.

It also authorizes construction work in subclass 15.2.1.

Lastly, it authorizes related construction work.

15.2.1 Contractor – natural gas burners for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work relating to natural gas combustion systems.

It also authorizes construction work relating to natural gas combustion systems that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.3 Contractor – oil burners

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act relating to oil combustion systems.

It also authorizes construction work in subclass 15.3.1.

Lastly, it authorizes related construction work.

15.3.1 Contractor – oil burners for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work relating to oil combustion systems.

It also authorizes construction work relating to oil combustion systems that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.4 Contractor – hot water and steam heating systems

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act relating to hot water and steam heating systems.

It also authorizes, even if it is not reserved exclusively for master pipe-mechanics, construction work relating to propane burners that are part of hot water or steam heating systems and construction work in subclass 15.4.1.

Lastly, it authorizes related construction work.

15.4.1 Contractor – hot water and steam heating systems for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work relating to hot water and steam heating systems, including propane burners that are part of the systems.

It also authorizes construction work relating to heating systems referred to in the first paragraph and that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.5 Contractor – plumbing

This subclass authorizes construction work that is reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act relating to plumbing systems in any building or structure, including piping and all the fixtures used for drainage, back venting of traps, hot and cold water supply or gas supply.

It also authorizes construction work in subclass 15.5.1.

Lastly, it authorizes related construction work.

15.5.1 Contractor – plumbing for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work relating to plumbing systems in any building or structure, including piping and all fixtures used for drainage, back venting of traps, hot and cold water supply or gas supply.

It also authorizes construction work relating to plumbing systems referred to in the first paragraph and carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Moreover, this subclass authorizes construction work relating to plumbing installations that are not building installations and that are outdoors.

Lastly, it authorizes related construction work.

15.6 Contractor – propane

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to installations for the use, storage or distribution of propane gas, including their components and fixtures, and similar or related construction work.

15.7 Contractor – residential ventilation

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to air circulation or distribution systems related to ventilation, exhaust, air compensation and air conditioning of single family dwellings, duplexes or town houses and private portions of multifamily buildings held in divided co-ownership.

It also authorizes construction work relating to the heating duct systems in the dwellings referred to in the first paragraph.

Lastly, it authorizes similar or related construction work.

15.8 Contractor – ventilation

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to air circulation or distribution systems related to ventilation, exhaust, air compensation and air conditioning.

It also authorizes construction work relating to the heating duct systems and construction work in subclass 15.7.

Lastly, it authorizes similar or related construction work.

15.9 Contractor – small refrigeration systems

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to air-conditioning refrigeration systems with a cooling capacity not exceeding 20 kilowatts and a refrigerant of group A1,

A2 or a mixture of both, according to the classification in Clause 3.4 of CSA B-52 Mechanical Refrigeration Code, 1999 edition, published by the Canadian Standards Association, taking into account further amendments that may be made.

It also authorizes similar or related construction work.

15.10 Contractor – refrigeration

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics relating to any refrigeration system, including work related to air-conditioning, industrial processes and food preservation.

It also authorizes construction work in subclass 15.9.

Lastly, it authorizes similar or related construction work.

16. Contractor – electrical

Except for demolition work, this subclass authorizes construction work on an electrical installation to which Chapter V of the Construction Code applies, introduced by the Regulation to amend the Construction Code approved by Order in Council 961-2002 dated 21 August 2002, that is reserved exclusively for electrical contractors.

It also authorizes construction work relating to fixtures permanently connected to the electrical installation, if it is governed by Chapter V of the Construction Code and if it is not specifically governed by another subclass and construction work in subclasses 13.2 and 17.1.

Lastly, it authorizes related construction work.

17.1 Contractor – instrumentation and control systems

This subclass authorizes construction work that is not reserved exclusively for electrical contractors relating to instrumentation and control systems.

It also authorizes construction work in subclass 17.2 of Schedule III.

Lastly, it authorizes similar or related construction work.

SCHEDULE III**LICENCE SUBCLASSES IN THE SPECIALIZED CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 10****2.5 Contractor – excavation and earthwork**

Except for the work in subclasses 2.2 and 2.4 of Schedule II, this subclass authorizes construction work relating to excavating, moving, compacting and levelling of earth or granular materials, including work relating to small works of art, and similar or related construction work.

2.7 Contractor – sitework

This subclass authorizes construction work relating to the preparation and finishing of sitework, such as alignment, levelling, fencing, demolition, paving and asphaltting, laying interlocking paving stones, and similar or related construction work.

3.2 Contractor – small concrete works

This subclass authorizes construction work relating to concrete formwork for foundation walls of buildings referred to in Part 9 of the National Building Code – Canada 1995 (NRCC 38726E) as adopted by Chapter I of the Building Code, without regard to the exemptions in Division II of the Regulation respecting the application of the Building Act and to other concrete works, concreting, reinforcement and concrete finishing, and similar or related construction work.

4.2 Contractor – non-structural masonry, marble and ceramics

This subclass authorizes construction work relating to non-structural masonry, marble, granite, ceramics, terrazzo and other similar materials, refractory products, and similar or related construction work.

5.2 Contractor – metal fabrication

This subclass authorizes construction work relating to cold-formed steel and aluminium sections used in the construction of non-bearing partitions, wrought metal, welding, and similar or related construction work.

6.2 Contractor – wood and plastic work

This subclass authorizes construction work relating to wood and plastic structures such as finishing carpentry, and similar or related construction work.

7. Contractor – insulation, waterproofing, roofing and siding

This subclass authorizes construction work relating to fireproofing, waterproofing, insulation, lagging, roofing, siding other than masonry, and similar or related construction work.

8. Contractor – doors and windows

This subclass authorizes construction work relating to doors, windows, glazed curtain walls, and similar or related construction work.

9. Contractor – interior finishing

This subclass authorizes construction work relating to interior and exterior painting, interior surfaces such as flooring, wall and ceiling and their finishing, and similar or related construction work.

11.2 Contractor – special equipment and products

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics and electrical contractors relating to all types of equipment and special products that are not already governed by a subclass in Schedule II or this Schedule, and similar or related construction work.

12. Contractor – manufactured cabinets and counter tops

This subclass authorizes construction work relating to manufactured cabinets and counter tops, and similar or related construction work.

13.5 Contractor – prefabricated or special installations

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics and electrical contractors relating to prefabricated or special installations such as cold rooms, pools, skating rinks, excluding their heating and cooling systems, and noise and vibration protection systems.

It also authorizes similar or related construction work.

17.2 Contractor – intercommunications, telephone and surveillance

This subclass authorizes construction work that is not reserved for electrical contractors relating to intercommunications, telephone and surveillance systems, and similar or related construction work.

SCHEDULE IV**LICENCE SUBCLASS CONCORDANCE TABLE**

(ss. 57, 68, 72 and 76)

Licence subcategories in force on 24 June 2008		Corresponding licence subclasses on 25 June 2008	
Number	Title	Number	Title
3031	Contractor – new residential covered by a guaranty plan, Class I buildings	1.1.1 10 15.7	Contractor – new residential buildings covered by a guaranty plan, Class I Contractor – solid fuel local heating systems Contractor – residential ventilation
3032	Contractor – new residential buildings covered by a guaranty plan, plan, Class II	1.1.2 15.7	Contractor – new residential buildings covered by a guaranty Class II Contractor – residential ventilation
4041	Residential building contractor, Class I	1.2 10 15.7	Contractor – small buildings Contractor – solid fuel local heating systems Contractor – residential ventilation
4042	Residential building contractor, Class II	1.3 15.7	Contractor – all buildings Contractor – residential ventilation
4043	Maintenance, renovation, repair and alteration of residential buildings contractor	1.2 10 15.7	Contractor – small buildings Contractor – solid fuel local heating systems Contractor – residential ventilation
4047	Building removal contractor	1.2	Contractor – small buildings
4050.1	Public, commercial and industrial buildings contractor, Class I	1.2	Contractor – small buildings
4050.2	Shelters, all types, contractor	1.2	Contractor – small buildings
4051	Public, commercial and industrial buildings contractor, Class II	1.3	Contractor – all buildings
4053	Maintenance, renovation, repair and alteration of public, commercial and industrial buildings contractor	1.3	Contractor – all buildings
4062	Heavy industry factory complexes contractor	1.3	Contractor – all buildings
4063	Sports equipment contractor	11.2	Contractor – special equipment and products
4071.1	Roads and public thoroughfares contractor	1.4	Contractor – roads and mains

Number	Title	Number	Title
4071.2	Sewers, water mains, prefabricated reservoirs and pumping stations contractor	1.4	Contractor – roads and mains
4071.3	Railroad work contractor	1.4	Contractor – roads and mains
4072	Bridges and overpasses contractor	1.5	Contractor – civil engineering structures
4073	Underground civil engineering works contractor	1.4	Contractor – roads and mains
4074	Underwater civil engineering works contractor	1.6	Contractor – underwater civil engineering structures
4092	Electric generating works contractor	1.5	Contractor – civil engineering structures
4093.1	Electrical distribution substations contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4093.2	Overhead lines contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4093.3	Underground lines contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4096	Pipelines contractor	1.4	Contractor – roads and mains
4200	Piles and special foundations contractor	2.6	Contractor – piles and special foundations
4201	Architectural structures and structural works contractor	5.1	Contractor – metallic structures and prefabricated concrete elements
4202	Fireproof products contractor	4.2	Contractor – non-structural masonry, marble and ceramics
4203	Masonry contractor	4.1	Contractor – masonry structures
4204	Concrete finishing work contractor	3.2	Contractor – concrete forms and work concrete
4205	Marble, granito, ceramic and terrazzo installation contractor	4.2 9	Contractor – non-structural masonry, marble and ceramics Contractor – interior finishing
4206	Chalky surfaces contractor	7 9	Contractor – insulation, waterproofing, roofing and siding Contractor – interior finishing
4207	Interior systems contractor	5.2 9	Contractor – metallic structures Contractor – interior finishing
4208	Pool contractor	13.5	Contractor – prefabricated or special installations
4209	Reinforcing steel contractor	3.2	Contractor – small concrete works

Number	Title	Number	Title
4210.1	Carpentry contractor	5.2 6.1 7 8 11.2	Contractor – metal fabrication Contractor – wood structures Contractor – insulation, waterproofing, roofing and siding Contractor – doors and windows Contractor – special equipment and products
4210.2	Woodwork contractor	6.2 8 9 11.2 12	Contractor – wood and plastic work Contractor – doors and windows Contractor – interior finishing Contractor – special equipment and products Contractor – manufactured cabinets and counter tops
4211.1	Formwork contractor	3.1	Contractor – concrete structures
4211.2	Course and foundation wall formwork contractor	3.1 3.2	Contractor – concrete structures Contractor – small concrete works
4212	Resilient coverings contractor	9	Contractor – interior finishing
4213	Flooring contractor	6.2 9	Contractor – wood and plastic work Contractor – interior finishing
4220	Ornamental iron contractor	5.2 8 11.2	Contractor – metal fabrication Contractor – doors and windows Contractor – special equipment and products
4221	Glazery contractor	8	Contractor – doors and windows
4223	Boilermaker contractor	11.2	Contractor – special equipment and products
4224	Metal siding contractor	7 8	Contractor – insulation, waterproofing, roofing and siding Contractor – doors and windows
4225	Tinsmithing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4226.1	Roofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4226.2	Pitched roof contractor	7	Contractor – insulation, waterproofing, roofing and siding
4227	Welding contractor	5.2	Contractor – metal fabrication
4230.1	Ventilation contractor	15.8	Contractor – ventilation
4231	Thermal insulation contractor	7	Contractor – insulation, waterproofing, roofing and siding
4232	Insulation contractor	7 13.5	Contractor – insulation, waterproofing, roofing and siding Contractor – prefabricated or special installations

Number	Title	Number	Title
4233	Soundproofing contractor	7 9	Contractor – thermal insulation, waterproofing, roofing and siding Contractor – interior finishing
4234	Refrigeration contractor	15.10	Contractor – refrigeration
4235	Propane gas burner systems contractor	15.6	Contractor – propane
4240.1	Buildings painting contractor	9	Contractor – interior finishing
4240.2	Civil engineering works painting contractor	9	Contractor – interior finishing
4250.1	Intercommunication systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.2	Telephone systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.3	Monitoring systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.4	Instrumentation and control systems contractor	17.1	Contractor – instrumentation and control systems
4252.1	Anti-theft alarm systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4252.2	Fire alarm systems contractor	13.2	Contractor – fire alarm systems
4253.1	Fire protection systems contractor	13.3	Contractor – fire extinguishing systems
4253.2	Local fire protection systems contractor	13.4	Contractor – local fire systems
4270	Transportation systems contractor	1.10 14.1 14.2 14.3	Contractor – mechanical lifts Contractor – passenger and freight elevators Contractor – lifts for persons with physical disabilities Contractor – other types of elevators
4271	Millwright contractor	8 11.2	Contractor – doors and windows Contractor – special equipment and products
4280	Excavation and earthwork contractor	2.2 2.4 2.5	Contractor – non-drilled water collection structures Contractor – private sewerage systems Contractor – excavation and earthwork
4281.1	Paving and asphaltting contractor	2.7	Contractor – sitework
4281.2	Interlocking paving stones contractor	2.7	Contractor – sitework

Number	Title	Number	Title
4283.1	Buildings demolition contractor	2.7	Contractor – sitework
4283.2	Civil engineering works demolition contractor	2.7	Contractor – sitework
4283.3	Stripping contractor	2.7	Contractor – sitework
4284	Electrical contractor	16	Contractor – electrical
4285.10	Warm air heating systems contractor	15.1	Contractor – warm air heating systems
4285.11	Natural gas burner systems contractor	15.2	Contractor – natural gas burners
4285.12	Oil burner systems contractor	15.3	Contractor – oil burners
4285.13	Hot water and steam heating systems contractor	15.4	Contractor – hot water and steam heating systems
4285.14	Plumbing contractor	15.5	Contractor – plumbing
4500	Airtightness and waterproofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4501	Line and grade contractor	2.7	Contractor – sitework
4502	Signal systems contractor	11.2	Contractor – special equipment and products
4503	Lightning protection contractor	13.1	Contractor – lightning protection
4504	Blasting contractor	2.8	Contractor – blasting
4505	Flameproofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4506	Chimneys, all types, repair contractor	4.2 11.2	Contractor – non-structural masonry, marble and ceramics Contractor – special equipment and products
4507	Industrial piping contractor	11.1	Contractor – pressurized industrial or institutional piping
4508	Cutting and drilling contractor	3.2	Contractor – small concrete works
4509	Pneumatic control systems contractor	17.1	Contractor – instrumentation and control systems
4510	Central systems contractor	11.2	Contractor – special equipment and products
4511	Safety slides and fences contractor	2.7	Contractor – sitework
4513	Solid fuel secondary heating appliances installation contractor	10	Contractor – solid fuel local heating systems

Number	Title	Number	Title
4514	Documents conveyance systems contractor	11.2	Contractor – special equipment and products
4515	Petroleum equipment installation contractor	1.8	Contractor – petroleum equipment installation
4516	Restoration contractor	4.2 9	Contractor – non-structural masonry, marble and ceramics Contractor – interior finishing
4517	Underground water pumping systems contractor	2.3	Contractor – underground water pumping systems
4518	Well drilling contractor	2.1	Contractor – drilled wells
4520	Plumbing contractor in non-organized territories	15.5.1	Contractor – plumbing for certain work not reserved exclusively for master pipe-mechanics
4521	Synthetic resin work contractor	6.2 9	Contractor – wood and plastic work Contractor – interior finishing

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Gouvernement du Québec

O.C. 315-2008, 2 April 2008Building Act
(R.S.Q., c. B-1.1)**Regulation**
— **Amendments**

Regulation to amend the Regulation respecting the application of the Building Act

WHEREAS, under section 4.1 and subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1), amended respectively by sections 27 and 61 of chapter 10 of the Statutes of 2005, the Government may, by regulation, exempt from the application, in whole or in part, of the Act, categories of contractors, owner-builders or owners of petroleum equipment installations, and categories of installations and facilities;

WHEREAS, under subparagraph 7 of the first paragraph of section 182 of the Act, the Government may, by regulation, adopt any other related or suppletory provision it judges necessary to give effect to the provisions of that section and of the 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 to amend the Regulation respecting the application of the Building Act was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2007 with a notice that it could be made by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS the comments received have been examined;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Building Act, attached to this Order in Council, be made

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Building Act*

Building Act
(R.S.Q., c. B-1.1, ss. 4.1 and 182, 1st par., subpars. 1 and 7 and 2nd par.; 2005, c. 10, ss. 27 and 61)

1. The Regulation respecting the application of the Building Act is amended by replacing “entrepreneur en construction” wherever it appears in the French text by “entrepreneur de construction”.

2. Section 1 is amended

(1) by inserting “de construction” after “lorsque les travaux” in the French text of subparagraph 2 of the first paragraph;

(2) by replacing subparagraph 3 of the first paragraph by the following:

“(3) where the planned construction work is carried out by a contractor who holds a specialized contractor’s licence including the licence subclasses required for that work and listed in Schedule II to the Regulation respecting the professional qualification of contractors and owner-builders, approved by Order in Council 314-2008 dated 2 April 2008;”.

3. Section 1.1 is amended by replacing the part before paragraph 1 by the following:

“**1.1.** Subject to section 49 of the Act, a contractor and an owner-builder are exempt from the application of Chapter IV of the Act as regards the requirement to hold a “1.8 petroleum equipment installation contractor” licence listed in Schedule I of the Regulation respecting the professional qualification of building contractors and owner-builders where”.

4. Section 2 is replaced by the following:

“**2.** An owner-builder is exempt from the application of the following provisions of Chapter IV of the Act:

(1) subparagraph 1 of the first paragraph of section 58 as regards proof of knowledge or experience relevant to managing a building undertaking and section 52 to the extent that that provision renders that condition applicable, but only with respect to the examination of knowledge in administration under section 21 of the Regulation respecting the professional qualification of building contractors and owner-builders.

A specialized owner-builder is also exempt from the examination of knowledge in project and site management under section 23 of that Regulation;

(2) section 52 to the extent that that provision renders applicable the conditions prescribed by subparagraphs 5 and 8 of the first paragraph of section 58;

(3) subparagraphs 2, 5 and 8 of the first paragraph of section 58;

(4) the first paragraph of section 59;

(5) subparagraphs 1, 6 and 6.1 of the first paragraph of section 60;

(6) subparagraphs 1 and 2 of the first paragraph of section 61;

(7) subparagraphs 5 and 6 of the first paragraph of section 70; and

(8) paragraphs 1, 3 and 4 of section 71.”.

5. Section 3 is amended by replacing “urban” by “metropolitan”.

6. The first paragraph of section 3.1 is amended

(1) by replacing “Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 and amended by the Regulation approved by Orders in Council 376-95 dated 22 March 1995 and 98-96 dated 24 January 1996” by “Regulation respecting the professional qualification of contractors and owner-builders, approved by Order in Council 314-2008 dated 2 April 2008”;

(2) by replacing “Régie du bâtiment du Québec” by “Board”;

(3) by replacing subparagraph 1 by

“(1) he has been registered for at least 3 years with Tarion, a corporation designated for the application of the Ontario New Home Warranties Plan Act (R.S.O., 1990, c. O-31);”.

* The Regulation respecting the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, G.O. 2, 1100), was last amended by the regulation made by Order in Council 222-2007 dated 21 February 2007 (2007, G.O. 2, 1190). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

7. Section 3.1.1 is amended in the first paragraph

(1) by replacing “sections 42 and 43 of the Regulation respecting the professional qualification of building contractors and owner-builders, the Régie” by “the first and second paragraphs of section 56 of the Regulation respecting the professional qualification of contractors and owner-builders, the Board”;

(2) by replacing “41” by “53”.

8. Section 3.2 is amended by replacing “Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 and amended by the Regulations approved by Orders in Council 376-95 dated 22 March 1995, 98-96 dated 24 January 1996 and 7-97 dated 7 January 1997” by “Regulation respecting the professional qualification of contractors and owner-builders” and by replacing “Régie du bâtiment du Québec” by “Board”.

9. The Regulation is amended by inserting the following after section 3.2.1:

3.2.2. A contractor who, on request by an administrator authorized by the Board to administer an approved guaranty plan, carries out completion or correction work, is exempt from the requirement to hold licence subclass 1.1.1 or 1.1.2 if the contractor holds the licence subclass required to carry out such work respecting a building not covered by a guaranty plan.

3.2.3. A trustee in bankruptcy or a liquidator is exempt from the requirement to hold a licence if the trustee or liquidator has the construction work of a bankrupt contractor or owner-builder completed by a contractor who holds the appropriate licence.

3.2.4. A natural person applying for a building contractor licence for himself or herself or on behalf of a partnership or legal person is exempt, for the licence subclasses in Schedule III to the Regulation respecting the professional qualification of contractors and owner-builders, from the application of subparagraph 1 of the first paragraph of section 58 of the Act as regards proof of knowledge or relevant experience in the carrying out of construction work and that of section 52 of the Act to the extent that that provision renders that condition applicable.

3.2.5. A general or undeclared partnership that is constituted for the purpose of carrying out construction work on only one construction project is exempt from the application of Chapter IV of the Building Act (R.S.Q., c. B-1.1), if the following conditions are met:

(1) the proposed work is work authorized in subclasses 1.3 to 1.10 of Schedule I to the Regulation respecting the professional qualification of contractors and owner-builders;

(2) each of the members of the partnership is the holder of a general contractor’s licence authorizing the member to carry out the project work or have it carried out; and

(3) the tender documents for the construction project require the successful bidder to provide within the allotted time a contract performance guarantee and a labour, material and services payment bond.”.

10. This Regulation comes into force on 25 June 2008.

8634

Gouvernement du Québec

O.C. 316-2008, 2 April 2008

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

Correction to the English text of the Regulation respecting the committees of the Corporation of Master Electricians of Québec, approved by Order in Council 65-2008 dated 31 January 2008

WHEREAS, by Order in Council 65-2008 dated 31 January 2008, the Government approved the Regulation respecting the committees of the Corporation of Master Electricians of Québec;

WHEREAS a section was omitted in the English text of the Regulation;

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

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

THAT the English text of the Regulation respecting the committees of the Corporation of Master Electricians of Québec, approved by Order in Council 65-2008 dated 31 January 2008, be amended by inserting the following after section 19:

“20. The audit committee may examine any accounting document and any other document pertaining to the financial management of the Corporation.”.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

8635

Gouvernement du Québec

O.C. 332-2008, 9 April 2008

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

Hunting activities — Amendments

Regulation to amend the Regulation respecting hunting activities

WHEREAS, under section 29 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, authorize in particular the training or field trials of hunting dogs and fix the conditions of those activities;

WHEREAS, under section 55 of the Act, the Government may determine by regulation the conditions on which a person determined by regulation may use a licence issued to another person;

WHEREAS, under paragraph 9 of section 162 of the Act, the Government may make regulations determining the conditions that must be fulfilled by the applicant or holder of a licence or certificate, and the obligations with which the holder of a licence or certificate must comply;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing norms and obligations respecting in particular the registration of animals;

WHEREAS, under paragraph 18 of section 162 of the Act, the Government may make regulations determining for an area, territory or place the safety conditions required, in particular, for the practice of hunting activities;

WHEREAS the Government made the Regulation respecting hunting activities by Order in Council 858-99 dated 28 July 1999;

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 hunting activities was published in Part 2 of the *Gazette officielle du Québec* of 14 November 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

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

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 hunting activities, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting activities *

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 29, 55 and 162,
pars. 9, 16 and 18)

1. The Regulation respecting hunting activities is amended in section 2 by striking out “wild turkey (*Meleagris gallopavo*)” in paragraph 3.

2. Section 4 is amended

(1) by replacing “and “Snaring of hare or cottontail rabbit” hunting licences” in the first paragraph by “, “Snaring of hare or cottontail rabbit” and “Small game using a bird of prey” hunting licences”;

(2) by replacing “whose antlers measure less than 7 cm” in subparagraph 2 of the second paragraph by “with antlers less than 7 cm for all areas except Area 20”;

* The Regulation respecting hunting activities, made by Order in Council 858-99 dated 28 July 1999 (1999, *G.O.* 2, 2427), was last amended by the regulation made by Order in Council 931-2005 dated 12 October 2005 (2005, *G.O.* 2, 4533). 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 2 of the second paragraph:

“(2.1) “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20 (1st killing)”;

3. The following is inserted after section 4:

“**4.0.1.** In addition to the conditions set out in the first paragraph of section 4, to obtain a wild turkey hunting licence, a person must hold an attestation of completion of the course on wild turkey hunting, unless the person is a resident referred to in section 4.1.”

4. Section 4.1 is amended

(1) by replacing “18 years of age” in the first paragraph by “12 years of age” and “code “A” or “F”” by “code “A”, “B” or “F””;

(2) by inserting “and holding the attestation referred to in section 4.01 in the case of wild turkey hunting” after “used” in the second paragraph.

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

“In addition to the first paragraph, to obtain a hunting licence for caribou for a non-resident Canadian, a person shall be a non-resident domiciled in Canada.”

6. Section 6.1 is replaced by the following:

“**6.1.** If the area number entered on a “Moose, all areas” hunting licence is wrong, the holder of the licence may obtain a “Moose, in a new area” hunting licence, which is issued once a year, inasmuch as the following conditions are met:

(1) if the holder holds a hunter’s or trapper’s certificate bearing code “F”, the date of issue of the licence must not have authorized its holder to hunt moose with a type 10 or 13 implement in the wrong area;

(2) if the holder holds a hunter’s or trapper’s certificate bearing code “A”, or is a resident who does not hold a hunter’s or trapper’s certificate bearing code “A”, “B” or “F”, the date of issue of the licence must not have authorized its holder to hunt moose with a type 6, 10, 11 or 13 implement in the wrong area;

(3) if the holder holds a hunter’s or trapper’s certificate bearing code “B”, the date of issue of the licence must not have authorized its holder to hunt moose with a type 10, 11 or 13 implement in the wrong area; or

(4) if the holder is a non-resident, the date of issue of the licence must not have authorized its holder to hunt moose with a type 6, 10, 11 or 13 implement in the wrong area.

For the purposes of subparagraphs 1, 2 and 3 of the first paragraph, if the “Moose, in a new area” hunting licence is required for an area or part of area where the moose hunting season with a type 13 implement is open, subject to the second paragraph of section 9, the licence may be used only if the date of issue of the licence with the wrong area number, for a resident, is prior to the opening date of the hunting season in the area for which the “Moose, in a new area” hunting licence is required.

To obtain a “Moose, in a new area” licence, the holder of a “Moose, all areas” licence must not have used it to participate in a hunting activity in a place set out in the third paragraph of section 10.

In addition, for the purposes of the first paragraph, if the holder of a “Moose, all areas” hunting licence with the wrong area number is also the holder of an authorization for a handicapped person referred to in section 58 of the Act respecting the conservation and development of wildlife authorizing the holder to hunt with a crossbow during a hunting season with a type 6 implement in the wrong area, the holder is considered to have been authorized to hunt with a type 6 implement.”

7. The following is inserted after the title of subdivision 3 of Division II:

“A – Spouse or child”.

8. Section 7 is amended

(1) by replacing the first paragraph by the following:

“**7.** The spouse of the holder of a resident’s “Snaring of hare or cottontail rabbit” hunting licence or of a resident’s or non-resident’s “Small game” or “Small game using a bird of prey” hunting licence or of a resident’s “Northern leopard frog, Green frog, Bull frog” hunting licence may use that holder’s licence. The spouse shall also carry the holder’s licence when not accompanied by the holder.”;

(2) by striking out the second paragraph;

(3) by replacing “or children referred to in the first and second paragraphs are residents, they shall hold” in the third paragraph by “is a resident, the spouse shall hold and carry” and by striking out “and carry it with them”;

(4) by striking out “and the children referred to in the first and second paragraphs” and “referred to in those paragraphs” in the fourth paragraph.

9. Section 7.1 is amended

(1) by replacing ““Caribou”, “White-tailed deer”, “Moose” or “Black bear”” in the first paragraph by “listed in Column I of Schedule I to the Regulation respecting hunting”;

(2) by adding “or hold a licence issued under section 4.1 and meet the conditions set out in that section” at the end of the third paragraph;

(3) by adding “; the child shall also hold and carry the attestation referred to in section 4.0.1, where applicable” at the end of the third paragraph.

10. Section 7.2 is amended by replacing “in section 7 or 7.1” in the first paragraph by “in section 7.1” and “provided for in those sections” by “set out in that section”.

11. The following is inserted after section 7.2:

“**7.2.0.1.** A person between 12 and 24 years of age to whom section 7.1 or 7.2 applies may use one of the “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20” or “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20 (1st killing)” licence classes or the “Moose, female more than one year old” licence issued by a draw of lots to a holder referred to in section 7.1, as long as that holder also holds a valid regular hunting licence for white-tailed deer or moose; in the latter case, subject to the third paragraph of section 10, the hunting licence for female moose must have been issued for the same area as the regular licence or for a controlled zone situated in that area.”.

12. The following is inserted after section 7.2.0.1:

“B – Group of hunters”.

13. The following is inserted after section 7.2.3:

“**7.2.3.1.** In wildlife sanctuaries, the members of a group of not more than eight hunters who hold the moose hunting licence referred to in paragraph *a* of section 5 of Schedule I to the Regulation respecting hunting may use one of the members’ “Moose, female more than one year old” hunting licence referred to in paragraph *b* of section 5 of that Schedule, if the members meet the conditions set out in sections 7.2.1 to 7.2.3, with the necessary modifications.”.

14. The following is inserted before section 8:

“C – Requirement to be accompanied”.

15. Section 9 is amended by replacing “or in a territory where exclusive hunting rights were granted to an outfitting operation” in the third paragraph by “, in a territory where exclusive hunting rights have been granted to an outfitting operation or in the territories described in Schedules CXLVII, CXLVIII and CLXXXIX to the Regulation respecting hunting”.

16. The following is inserted after section 9:

“**9.1.** Subject to section 4.1, the holder of a resident’s “wild turkey” hunting licence must, to hunt wild turkey, hold and carry the attestation referred to in section 4.0.1.”.

17. Section 10 is amended by replacing “The holder of a moose hunting licence” in the third paragraph by “The holder of a “Moose, all areas” hunting licence”.

18. The following is inserted after section 11:

“**11.1.** The holder of a “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)” hunting licence referred to in paragraph *c.1* of section 2 of Schedule I to the Regulation respecting hunting must, to hunt with the licence, also hold and carry the valid “White-tailed deer, elsewhere than in Area 20” hunting licence referred to in paragraph *a* of section 2 of Schedule I to that Regulation.

The holder of a “Small game using a bird of prey” licence referred to in section 10 of Schedule I must, to hunt with the licence, also hold the apprentice hawker’s licence referred to in section 75 of the Regulation respecting animals in captivity made by Order in Council 1238-2002 dated 16 October 2002 or the hawker’s licence referred to in section 80 of that Regulation or be accompanied by the hawker.”.

19. Section 12 is amended

(1) by replacing paragraph 5 by the following:

“(5) “White-tailed deer, elsewhere than in Area 20” and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20” and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)”;

(2) by adding the following after subparagraph *g* of subparagraph 7:

“(h) “Small game using a bird of prey”;

(3) by adding the following after subparagraph *h* of subparagraph 7:

“(i) “Wild turkey”.”.

20. Section 13 is amended by adding the following at the end of subparagraph 3:

“(f) “Small game using a bird of prey”.”.

21. Section 13.1 is amended by replacing “their children under 18 years of age or the children under 18 years of age of either spouse who use” by “a person to whom section 7.1 or 7.2 applies using”.

22. Section 15 is amended

(1) by replacing “areas 26 and 27 south” in the second and third paragraphs by “Area 26 and part of Area 27, sector white-tailed deer” and “CXCIV” by “CLXXXVIII”;

(2) by replacing “or a territory where exclusive hunting rights have been granted to an outfitting operation” in the third paragraph by “, a territory where exclusive hunting rights have been granted to an outfitting operation or in the territories described in Schedules CXLVII, CXLVIII and CLXXXIX to the Regulation respecting hunting.”.

23. Section 15.1 is struck out.

24. The following is inserted after DIVISION III:

“DIVISION III.1
WEARING OF A FLUORESCENT ORANGE
GARMENT

17.1. In this Division, “fluorescent orange” means a colour with a dominant wavelength between 595 and 605 nanometres, an excitation purity of not less than 85% and a luminance factor of not less than 40%.

17.2. Subject to section 17.3, every hunter or guide and any other person accompanying a hunter in the hunting areas described in the Fishing and Hunting Areas Regulation made by Order in Council 27-90 dated 10 January 1990 must wear a fluorescent orange garment that covers at least 2,580 continuous square centimetres of the wearer’s back, shoulders and chest and is visible at all times from all angles.

17.3. Section 17.2 does not apply

(1) to the hunting of moose, white-tailed deer or black bear during a hunting season for such big game with a type 6 or 11 hunting implement within the meaning of

the Regulation respecting hunting, to the hunting of American crow, rock dove, Northern leopard frog, Green frog, Bull frog, Arctic or snowshoe hare or Eastern cottontail rabbit with snares, to the hunting of migratory birds within the meaning of the Regulation respecting hunting or, from 1 December to 31 March, to the hunting of coyote, wolf or red, cross-bred or silver fox;

(2) to the beneficiaries of the James Bay and Northern Québec Agreement and the beneficiaries of the North-eastern Québec Agreement in the territories covered by those agreements;

(3) to bow or crossbow hunting in a sector for bow or crossbow hunting only in a wildlife sanctuary or controlled zone;

(4) to hunting in a sector in a territory in which exclusive hunting rights have been leased and all hunting in that sector is with a bow or crossbow;

(5) to bow or crossbow hunting in a place where only hunting with a hunting implement other than a firearm is allowed;

(6) to the hunting of small game using a bird of prey and no participant is in possession of a weapon; or

(7) to the hunting of wild turkey.”.

25. Section 19 is amended

(1) by replacing “or black bear” by “, black bear or wild turkey” in the first paragraph;

(2) by replacing “attach it to the animal” at the end of the first paragraph by “attach it to the animal; in addition, when a hunter kills a white-tailed deer, female or male with antlers less than 7 cm, or a female moose more than one year old, the hunter must, if there is no transportation coupon, punch out the space provided for that purpose on the hunting licence issued by a draw of lots for that category of animal”;

(3) by adding “Subject to the third paragraph of section 10,” at the beginning of the second paragraph and “or be part of the same group within the meaning of section 15 of the Regulation respecting hunting” at the end of that paragraph;

(4) by adding “In addition,” at the beginning of the third paragraph.

26. Section 19.1 is amended by adding the following at the end:

“Every hunter referred to in section 7.2.3 or 7.2.3.1 who kills a white-tailed deer, female or male with antlers less than 7 cm, or a female moose more than one year old must, if there is no transportation coupon, on the day of the kill punch out the space provided for that purpose on the hunting licence issued by a draw of lots under which the animal is killed.”.

27. Section 21 is amended

(1) by replacing “or black bear” by “, black bear or wild turkey” in the first paragraph;

(2) by inserting “, declaring the calibre of the firearm used and the licence plate number of the vehicle used to transport the animal” in the first paragraph after “Act respecting the conservation and development of wildlife”;

(3) by replacing the fourth paragraph by the following:

“A hunter who has killed a wild turkey shall, upon registration, show the entire animal, whether eviscerated or not, and a hunter who has killed a black bear shall show the animal’s carcass or pelt.”.

28. Section 25 is replaced by the following:

“**25.** During any training or field trials of hunting dogs, other than retrievers or pointers and flushers, the owner or custodian of a dog must ensure that the dog wears at all times a collar displaying the owner’s name and telephone number.”.

29. Section 27 is amended

(1) by adding “Subject to section 20 of the Regulation respecting hunting,” at the beginning;

(2) by replacing “caribou et” in the French text by “caribou ou”.

30. Schedules I, II and III are struck out.

31. The Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., 1981, c. C-61, r.26) is revoked.

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

Gouvernement du Québec

O.C. 333-2008, 9 April 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 1 of section 121 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, in respect of a wildlife sanctuary, fix the amount of the fees exigible for hunting;

WHEREAS, under paragraph 10 of section 162 of the Act, the Government may make regulations determining the cost of issuing or replacing a licence;

WHEREAS, under paragraph 10.1 of section 162 of the Act, the Government may make regulations fixing the amount of the contribution toward the funding of the Fondation de la faune du Québec for the conservation and development of wildlife and its habitat;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing, among other things, norms respecting the registration of animals and fixing the fees exigible for the registration;

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, 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 14 November 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

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

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 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, ss. 121, par. 1 and 162, pars. 10, 10.1 and 16)

1. The Regulation respecting the scale of fees and duties related to the development of wildlife is amended by inserting the following subdivision after section 7:

“§5. *Replacement of a licence*

7.1. The cost for replacing a hunting, fishing or trapping licence that has been lost, stolen or rendered unusable is \$4.39.”.

2. Section 14 is amended by adding the following after subparagraph g of paragraph 1:

“(h) Wild turkey: \$3.25;”.

3. Section 14.1 is amended by adding the following after paragraph 4:

“(5) Wild turkey: \$5”.

4. Schedule I is amended

(1) by adding the following after paragraph c of section 2:

“(d) White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)
i. resident \$17.72”;

(2) by adding the following after section 7:

“8 Small game using a bird of prey
i. resident \$14.05
ii. non-resident \$73.17”;

(3) by adding the following after section 8:

“9 Wild turkey
i. resident \$22.00”.

5. Schedule II is amended by adding the following “Right of access fee per hunter or group of hunters” for “Moose” in the third column, as regards each wildlife sanctuary except Chic-Chocs:

“\$386.50 per stay, per group of 3 or 4 hunters of which at least one is less than 18 years old”.

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

8641

M.O., 2008

Order number AM 2008-017 of the Minister of Natural Resources and Wildlife dated 27 March 2008

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

CONCERNING the Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

CONSIDERING sections 54.1 and 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) which provide that the Minister may make regulations on the matters mentioned therein;

* 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 regulations made by Orders in Council 932-2005 dated 12 October 2005 (2005, *G.O.* 2, 4536) and 54-2008 dated 31 January 2008 (2008, *G.O.* 2, 619). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

CONSIDERING section 164 of the Act which provides that a regulation made under section 54.1 or 56 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting hunting by Minister's Order 99021 dated 27 July 1999 which prescribes, in particular, the conditions for the hunting of any animal or any animal of a class of animals;

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 27 March 2008

CLAUDE BÉCHARD,
*Minister of Natural Resources
and Wildlife*

Regulation to amend the Regulation respecting hunting*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 54.1 and 56)

1. Section 9 of the Regulation respecting hunting is amended by replacing “black bear” in the second paragraph by “wild turkey, black bear”.

2. Section 10 is amended by striking out “with a Type 2 implement” in the first paragraph.

3. Section 11 is amended

(1) by adding “Subject to the second paragraph,” at the beginning of the first paragraph and “or, in the case of licences for antlerless deer or female moose, when the licence is punched out or should have been punched out in accordance with that Regulation” at the end;

(2) by inserting the following paragraph after the first paragraph:

“A licence replaced under section 12 expires on the date the new licence is issued.”;

(3) by adding the following paragraph at the end:

“Despite the first paragraph, the “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)” hunting licence, provided for in paragraph c.1 of section 2 of Schedule I, expires on the date of expiry, within the meaning of the first paragraph, of the “White-tailed deer, elsewhere than in Area 20” hunting licence, provided in paragraph a of section 2 of that Schedule.”.

4. Section 13 is amended

(1) by replacing “hunting licences” in the first paragraph by “and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)” hunting licences”;

(2) by replacing “2008” in the sixth, seventh and eighth paragraphs by “2010”.

5. Section 14 is amended

(1) by replacing “is also permitted” in the fifth paragraph by “is permitted as well as hunting with a bird of prey in accordance with section 34.1”;

(2) by inserting the following after the fifth paragraph:

“In the territories shown on the plans in Schedules CLXXXIV, CLXXXV and CLXXXVI, hunting is permitted only with a bird of prey, in accordance with section 34.1, and with a bow, crossbow or implement referred to in paragraph 7 or 8 of section 31 in sectors 1, 2 and 3 of Parc régional de la Seigneurie du Lac Matapédia, identified on those plans.”;

(3) by replacing “in Schedule III” in the sixth paragraph by “in Schedule III and section 34.1”;

(4) by adding the following paragraph at the end:

“During a wild turkey hunting season in section 16 of Schedule III, hunting is permitted only in the morning from one half hour before sunrise until noon.”.

* The Regulation respecting hunting, made by Minister's Order 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451), was last amended by the regulations made by Minister's Orders 2007-017 dated 14 June 2007 (2007, *G.O.* 2, 1585) and 2007-037 dated 20 December 2007 (2008, *G.O.* 2, 463). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

6. Section 15 is amended

(1) by adding “, the bag limit being 1 moose per 2 hunters” at the end of the fourth paragraph;

(2) by replacing “the bag limit being established as follows:

- 1 moose/group of 3 or 4 hunters, or
- 2 moose/group of 6 or 8 hunters”

in the fifth paragraph by “the bag limit is then 1 moose/group of 3 or 4 hunters”.

7. Section 17 is amended

(1) by striking out “, Lavigne” in the first paragraph;

(2) by replacing “is also permitted” in the second paragraph by “is also permitted during the hunting season prescribed for each of those types of implement”;

(3) by adding “and in the Chauvin Controlled Zone, moose calves may not be hunted at any time” at the end of the third paragraph.

8. Section 18 is amended

(1) by replacing “in paragraphs *a* and *c*” in the first paragraph by “in paragraphs *a* and *c* or *c.1*”;

(2) by replacing “in paragraph *c*” in the third paragraph by “in paragraph *c* or *c.1*”.

9. Section 19 is amended by adding the following paragraph:

“Subject to sections 7.1, 7.2 and 7.2.3.1 of the Regulation respecting hunting activities, a non-resident may hunt female moose more than 1 year old during a hunting season when a resident may hunt them without holding the licence provided for in paragraph *b* of section 5 of Schedule I.”.

10. Section 20 is amended by replacing “where big game is not usually found” by “in a moose or deer yard”.**11.** Section 22 is amended by replacing “the following are listed:

(1) the name, address, and telephone number of the owner or his hunter’s or trapper’s certificate number;

(2) the dog’s type or race.”

by “the name and telephone number of the owner are indicated”.

12. Section 24 is amended by adding “or 2 white-tailed deer in one of the areas other than Area 20 for the holder of each of the licences prescribed in paragraphs *a* and *c.1* of section 2 of Schedule I, including no more than one deer with antlers of 7 cm or more” at the end of subparagraph 1 of the first paragraph.**13.** The following is inserted after section 27:

“**27.1.** A person may kill, in one year, 1 bearded wild turkey.”.

14. Section 30 is amended by adding the following sentence at the end of the second paragraph: “In the case of wild turkey, any baiting is prohibited.”.**15.** Section 31 is amended by adding the following paragraph at the end:

“(14) Type 14:

(a) 10 or 12-gauge shotguns used with shells loaded with shot ranging from 2.60 to 3.40 millimetres in diameter;

(b) muzzle-loading or breech-loading shotguns or rifles, without a casing, used with shot ranging from 2.60 to 3.40 millimetres in diameter;

(c) bows and crossbows with arrows whose point must have a cutting diameter of 22 millimetres.”.

16. The following is inserted after section 34:

“**34.1.** Except in areas 17, 22, 23 and 24, a person may use a bird of prey to hunt the small game referred to in sections 12 to 15, 18, 19 and 21 of Schedule III during the hunting seasons prescribed in those sections for Type 3 implements; a person may also hunt woodchuck, referred to in section 8 of that Schedule, during the hunting season prescribed in that section for Type 4 implements, and the species referred to in section 17 of that Schedule, from 1 April to 31 March.

For the purposes of this section, a bird of prey is a bird listed in Schedule VI to the Regulation respecting animals in captivity, made by Order in Council 1238-020 dated 16 October 2002, or a hybrid of those species; the bird must be used with a system ensuring that the hunter or the holder of a hawk’s licence accompanying the hunter, if applicable, in accordance with the second paragraph of section 11.1 of the Regulation respecting hunt-

ing activities remains in contact with the bird; for that purpose, the hunter or the hawkler must attach a transmitter to the bird and be equipped with a receiver to locate it.”.

17. Schedule I is amended:

(1) by replacing “2008” in paragraphs *f*, *g* and *h* of section 1 by “2010”;

(2) by adding the following paragraph after paragraphs *c*, *d*, *f*, *g* and *h* of section 1:

“*iii.* non-resident Canadian 2”;

(3) by inserting the following after paragraph *c* of section 2:

“*c.1*) White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)

i. resident 1”;

(4) by adding the following sections at the end:

“9. Wild turkey.
resident 1”

10. Small game with a bird of prey
i. resident 0
ii. non-resident 0”.

18. Schedule II is amended by inserting the following after section 1:

“**1.1.** For hunting white-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing):

Area	Number of licences
the western part of Area 5 shown on the plan in Schedule XXXVIII	4,000
5 except the western part shown on the plan in Schedule XXXVIII	500
the southern part of Area 8 shown on the plan in Schedule XIII	2,000
the eastern part of Area 8 shown on the plan in Schedule CXXXV	1,000

”**19.** Schedule II.1 is amended by replacing “2008” in section 2 by “2010”.

20. Schedule III is amended by replacing section 16 by the following:

Column I	Column II	Column III	Column III
Animal	Type of implement	Area	Hunting season
“16. Bearded wild turkey	14	All areas except the southern part of Area 8 shown on the plan in Schedule XIII, the northern part of Area 19 and the parts of the territories shown on the plans in Schedules XX to XXVIII and XXX to XXXII the southern part of Area 8 shown on the plan in Schedule XIII	From the Friday on or closest to 4 May to the Tuesday on or closest to 8 May From the Friday on or closest to 4 May to the Tuesday on or closest to 8 May From the Friday on or closest to 11 May to the Tuesday on or closest to 15 May

”.

21. Schedule V is amended

(1) by replacing “LXXXVI to CVIII” in Column II of section 1 by “LXXXVI, LXXXVIII to CVIII”;

(2) by adding the following in Columns II and III of section 1, in respect of Type 13 implements:

Column I	Column II	Column III
Type of implement	Parts of territories	Hunting season
13	“Part of the territory shown on the plan in Schedule LXXXVII*”	From the Saturday on or closest to 11 October to the Sunday on or closest to 19 October*

* That season ceases to apply on 31 December 2008.

”;

(3) by adding the following at the end of section 1:

Column I	Column II	Column III
Type of implement	Parts of territories	Hunting season
6	“Part of the territory shown on the plan in Schedule LXXXVII*”	From the Saturday on or closest to 13 September to the Sunday on or closest to 28 September*

* That season ceases to apply on 31 December 2008.

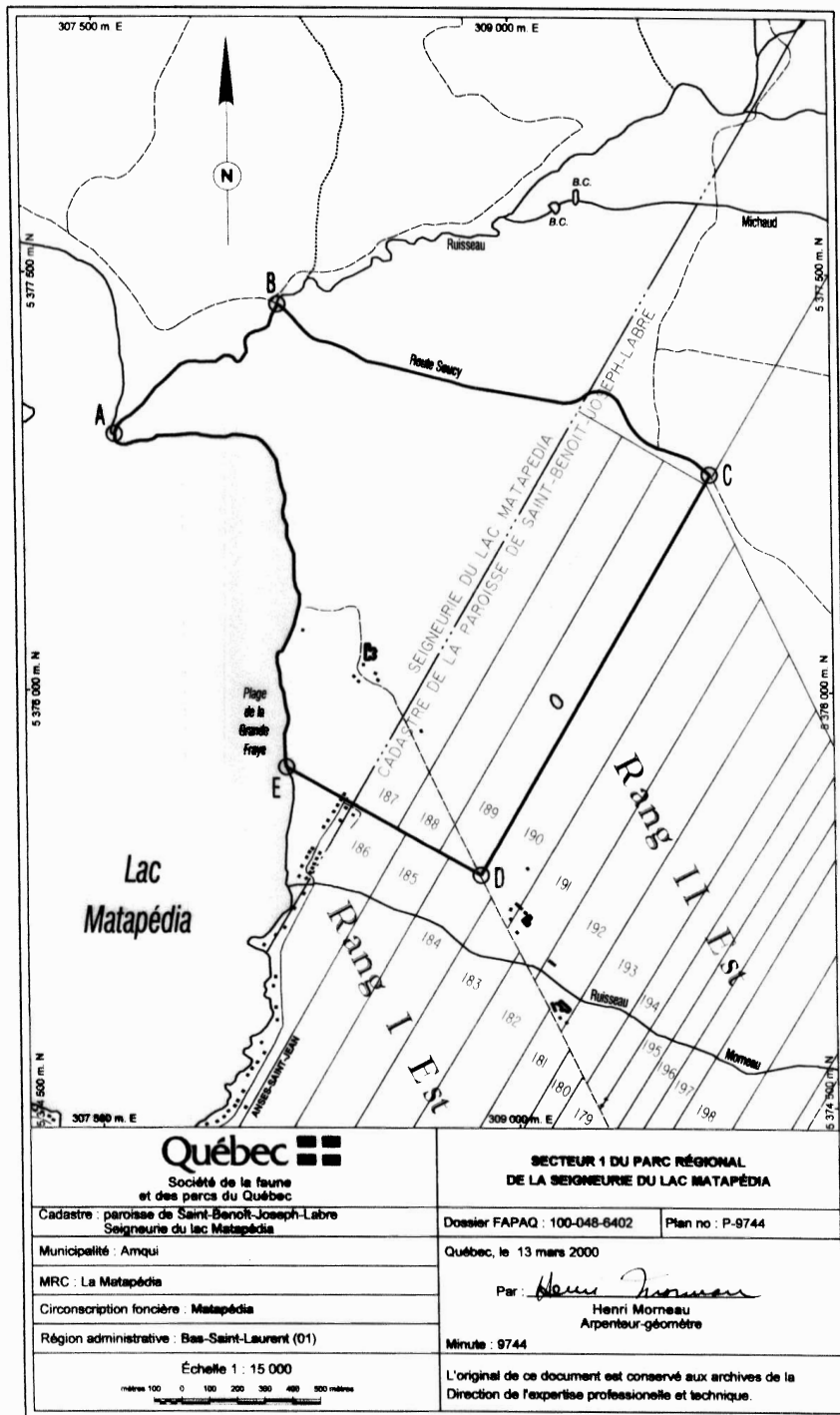
”;

22. Schedule CXXXVI is replaced by Schedule CXXXVI attached to this Regulation.

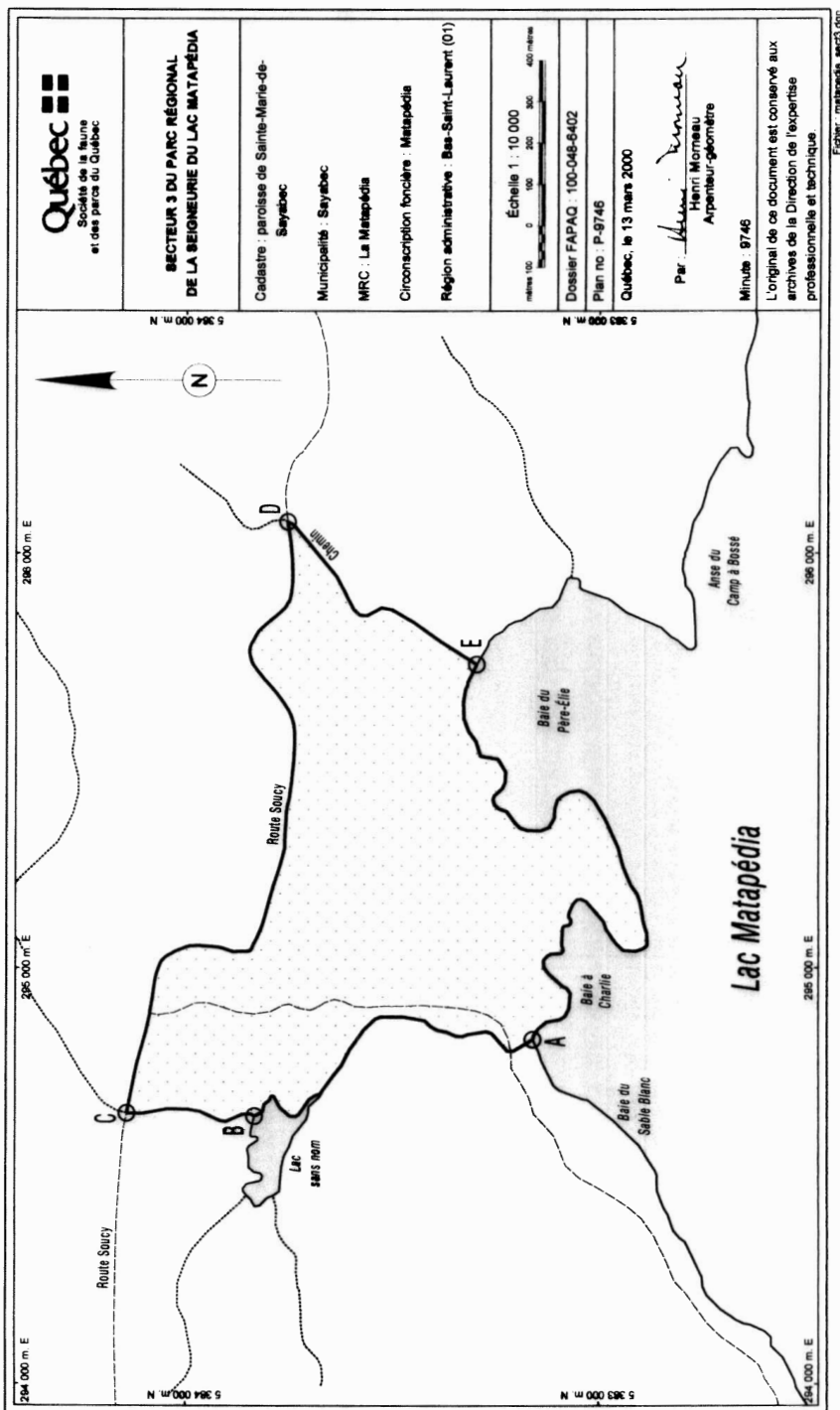
23. Schedules CLXXXIV, CLXXXV and CLXXXVI are replaced by Schedules CLXXXIV, CLXXXV and CLXXXVI attached to this Regulation.


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

SCHEDULE CLXXXIV



SCHEDULE CLXXXVI



 <p>Québec Société de la faune et des parcs du Québec</p>	<p>SECTEUR 3 DU PARC RÉGIONAL DE LA BEIGNEURIE DU LAC MATAPÉDIA</p>
<p>Cadastre : paroisse de Sainte-Marie-de-Sayabec Municipalités : Sayabec MRC : La Matapédia Circonscription foncière : Matapédia Région administrative : Bas-Saint-Laurent (01)</p>	<p>Echelle 1 : 10 000 0 100 200 300 400 mètres</p>
<p>Doossier FAPAQ : 100-048-6402 Plan no : P-9746 Québec, le 13 mars 2000</p>	<p>Par : <i>Henri Normeau</i> Henri Normeau Arpenteur-géomètre Minute : 9746</p>
<p>L'original de ce document est conservé aux archives de la Direction de l'expertise professionnelle et technique.</p>	

Draft Regulations

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Reimbursement of certain expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the reimbursement of certain expenses, appearing below, may be submitted to the Government for approval upon the expiry of 45 days following the date of this publication.

The purpose of the Draft Regulation is to increase the amount reimbursed by the Société to an accident victim for expenses incurred for the correction of a scar or deformity, for physiotherapy and for transportation by private automobile.

The Société anticipates no impact on businesses, particularly small and medium-sized businesses.

Additional information may be obtained by contacting Ms. Lucie Samson, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-11, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4262.

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the reimbursement of certain expenses*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 15 and 16)

1. The Regulation respecting the reimbursement of certain expenses is amended by striking out “, physiotherapy” in the first paragraph of section 10.

2. The Regulation is amended by inserting the following after section 10:

“**10.1.** Expenses incurred for purposes of receiving physiotherapy qualify for reimbursement up to 15 prescribed treatment sessions.

These expenses qualify for reimbursement up to a maximum amount of 35\$ per session.”.

3. Section 11 of the Regulation is amended

(1) by substituting “section 9, 10 or 10.1” for “section 9 or section 10” in the first paragraph;

(2) by substituting “53\$” for “49\$” in the second paragraph.

4. The first paragraph of section 13 of the Regulation is amended

(1) by substituting “280\$” for “258\$” in subparagraph 1;

(2) by substituting “415\$” for “387\$” in subparagraph 2;

(3) by substituting “625\$” for “580\$” in subparagraph 3;

(4) by substituting “835\$” for “774\$” in subparagraph 4.

* The most recent amendments to the Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 dated 13 December 1989 (1989, *G.O.* 2, 4661), were made by the Regulation approved by Order in Council 879-2002 dated 8 August 2002 (2002, *G.O.* 2, 4401). For earlier amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2007, updated to 1 September 2007.

5. The first paragraph of section 13.1 of the Regulation is amended

(1) by substituting “925\$” for “860\$” in subparagraph 1;

(2) by substituting “465\$” for “430\$” in subparagraph 2;

(3) by substituting “925\$” for “860\$” in subparagraph 3;

(4) by substituting “465\$” for “430\$” in subparagraph 4.

6. The following is substituted for section 16 of the Regulation:

“**26.** Expenses incurred for transportation by private automobile qualify for reimbursement up to 0,145\$ per kilometre travelled.

With prior approval by the Société, these expenses qualify for reimbursement up to 0,41\$ per kilometre travelled, in the following instances:

(1) where the victim’s state of health precludes the use of public transit;

(2) where public transit does not serve the itinerary that must be travelled;

(3) where transportation by private automobile is more economical than using public transit or taking a taxi.

The amounts provided in this section are fixed in accordance with the amendments made by the Conseil du trésor to the Directive sur les frais remboursables lors d’un déplacement et autres frais inhérents, Decision 194603 dated 30 March 2000.

However, such amendments have effect only from 1 January following their adoption by the Conseil du trésor and apply only in respect of expenses actually incurred as of that date.”.

7. Schedule III to the Regulation is amended by deleting section 26.

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

Draft Regulation

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

Municipal elections and referendums — Tariff of remuneration payable — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums, appearing below, may be made by the Minister of Municipal Affairs and Regions on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to increase the amounts prescribed in the Regulation to take into account the increase in the Consumer Price Index since the Regulation was last amended in October 2005. They are increased by 4.6%.

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

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Municipal Affairs and Regions, 10, rue Pierre-Olivier-Chauveau, Québec (Québec) G1R 4J3.

NATHALIE NORMANDEAU,
Minister of Municipal Affairs and Regions

Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums*

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2, s. 580)

1. Section 1 of the Regulation respecting the tariff of remuneration payable for municipal elections and referendums is amended by replacing “\$301” by “\$315”.

2. Section 2 is amended

(1) by replacing “\$201” in the first paragraph by “\$210”;

(2) by replacing “\$402” in the second paragraph by “\$420”.

3. Section 3 is amended

(1) by replacing “\$301” in paragraph 1 by “\$315”;

(2) by replacing “\$0.348” in subparagraph *a* of paragraph 1 by “\$0.364”;

(3) by replacing “\$0.108” in subparagraph *b* of paragraph 1 by “\$0.113”;

(4) by replacing “\$0.040” in subparagraph *c* of paragraph 1 by “\$0.042”;

(5) by replacing “\$180” in paragraph 2 by “\$188”;

(6) by replacing “\$0.209” in subparagraph *a* of paragraph 2 by “\$0.219”;

(7) by replacing “\$0.064” in subparagraph *b* of paragraph 2 by “\$0.067”;

(8) by replacing “\$0.024” in subparagraph *c* of paragraph 2 by “\$0.025”;

(9) by replacing “\$180” in paragraph 3 by “\$188”;

(10) by replacing “\$0.209” in subparagraph *a* of paragraph 3 by “\$0.219”;

(11) by replacing “\$0.064” in subparagraph *b* of paragraph 3 by “\$0.067”;

(12) by replacing “\$0.024” in subparagraph *c* of paragraph 3 by “\$0.025”;

(13) by replacing “\$60” in paragraph 4 by “\$63”;

(14) by replacing “\$0.070” in subparagraph *a* of paragraph 4 by “\$0.073”;

(15) by replacing “\$0.022” in subparagraph *b* of paragraph 4 by “\$0.023”.

4. Section 7 is amended by replacing “\$100” by “\$105”.

5. Section 8 is amended

(1) by replacing “\$84” in the first paragraph by “\$88”;

(2) by replacing “\$167” in the second paragraph by “\$175”.

6. Section 9 is amended by replacing “\$29” by “\$30”.

7. Section 10 is amended by replacing “\$24” by “\$25”.

8. Section 11 is amended by replacing “\$74” by “\$77”.

9. Section 12 is amended

(1) by replacing “\$61” in the first paragraph by “\$64”;

(2) by replacing “\$122” in the second paragraph by “\$128”.

10. Section 13 is amended by replacing “\$29” by “\$30”.

11. Section 14 is amended by replacing “\$24” by “\$25”.

12. Section 15 is amended by replacing “\$80” by “\$84”.

13. Section 16 is amended

(1) by replacing “\$67” in the first paragraph by “\$70”;

(2) by replacing “\$134” in the second paragraph by “\$140”.

* The Regulation respecting the tariff of remuneration payable for municipal elections and referendums, made by Minister's Order dated 13 October 1988 (1988, *G.O.* 2, 3770), was last amended by Minister's Order dated 6 October 2005 (2005, *G.O.* 2, 4513). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

14. Section 20 is amended by replacing “\$12” in the first paragraph by “\$13”.

15. Section 21 is amended by replacing “\$11” in the first paragraph by “\$12”.

16. Section 22.1 is amended by replacing “\$100” by “\$105”.

17. Section 22.2 is amended

(1) by replacing “\$84” in the first paragraph by “\$88”;

(2) by replacing “\$167” in the second paragraph by “\$175”.

18. Section 22.3 is amended by replacing “\$74” by “\$77”.

19. Section 22.4 is amended

(1) by replacing “\$61” in the first paragraph by “\$64”;

(2) by replacing “\$122” in the second paragraph by “\$128”.

20. Section 23 is amended by replacing “\$301” by “\$315”.

21. Section 24 is amended

(1) by replacing “\$201” in the first paragraph by “\$210”;

(2) by replacing “\$402” in the second paragraph by “\$420”.

22. Section 25 is amended

(1) by replacing “\$301” in paragraph 1 by “\$315”;

(2) by replacing “\$0.348” in subparagraph *a* of paragraph 1 by “\$0.364”;

(3) by replacing “\$0.108” in subparagraph *b* of paragraph 1 by “\$0.113”;

(4) by replacing “\$0.040” in subparagraph *c* of paragraph 1 by “\$0.042”;

(5) by replacing “\$180” in paragraph 2 by “\$188”;

(6) by replacing “\$0.209” in subparagraph *a* of paragraph 2 by “\$0.219”;

(7) by replacing “\$0.064” in subparagraph *b* of paragraph 2 by “\$0.067”;

(8) by replacing “\$0.024” in subparagraph *c* of paragraph 2 by “\$0.025”;

(9) by replacing “\$180” in paragraph 3 by “\$188”;

(10) by replacing “\$0.209” in subparagraph *a* of paragraph 3 by “\$0.219”;

(11) by replacing “\$0.064” in subparagraph *b* of paragraph 3 by “\$0.067”;

(12) by replacing “\$0.024” in subparagraph *c* of paragraph 3 by “\$0.025”;

(13) by replacing “\$60” in paragraph 4 by “\$63”;

(14) by replacing “\$0.070” in subparagraph *a* of paragraph 4 by “\$0.073”;

(15) by replacing “\$0.022” in subparagraph *b* of paragraph 4 by “\$0.023”.

23. Section 30 is amended

(1) by replacing “\$60” in paragraph 1 by “\$63”;

(2) by replacing “\$24” in paragraph 2 by “\$25”;

(3) by replacing “\$29” in paragraph 3 by “\$30”;

(4) by replacing “\$119” in paragraph 4 by “\$124”.

24. Section 31 is amended by replacing “\$12” in paragraph 1 by “\$13”.

25. Section 32 is amended by replacing “\$12” by “\$13”.

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

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Treasury Board

Gouvernement du Québec

T.B. 206219, 1 April 2008

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 7.2 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), enacted by section 159 of chapter 43 of the Statutes of 2007, the Government may, by regulation, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel, determine, for the purposes of section 79.1, enacted by section 147 of that chapter, the information the spouse's waiver or revocation notice must contain;

WHEREAS, by Decision 202420 dated 24 May 2005, the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel;

WHEREAS it is expedient to amend the Regulation to determine, for the purposes of section 79.1, the information the spouse's waiver or revocation notice must contain;

WHEREAS the pension committee has been consulted;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1, s. 196, 1st par., subpar. 7.2.; 2007, c. 43, s. 159)

1. The Regulation under the Act respecting the Pension Plan of Management Personnel is amended by inserting the following after section 6.6:

“**CHAPTER III.2**
SPOUSE'S WAIVER
(s. 196, 1st par., subpar. 7.2)

6.7. The waiver or revocation notice required under the second paragraph of section 79.1 of the Act must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”

2. This Regulation comes into force on (*insert the date of coming into force of section 147 and paragraph 1 of section 159 of chapter 43 of the Statutes of 2007*).

8636

* The Regulation under the Act respecting the Pension Plan of Management Personnel, made by Conseil du trésor Decision 202420 dated 24 May 2005 (2005, G.O. 2, 1733), was last amended by the regulation made by Conseil du trésor Decision 205757 dated 4 December 2007 (2007 G.O. 2, 3982). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

Gouvernement du Québec

T.B. 206220, 1 April 2008

An Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2)

Regulation

— **Amendment**

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under paragraph 7.3.2 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), enacted by section 39 of chapter 43 of the Statutes of 2007, the Government may, by regulation, determine, for the purposes of section 74.0.2, enacted by section 36 of that chapter 43, the information the spouse's waiver or revocation notice must contain;

WHEREAS, by Order in Council 1842-88 dated 14 December 1988, the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services;

WHEREAS it is expedient to amend the Regulation to determine, for the purposes of section 74.0.2, the information the spouse's waiver or revocation notice must contain;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services*

An Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2, s. 130, par. 7.3.2.; 2007, c. 43, s. 39)

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services is amended by inserting the following after section 7.18:

**“CHAPTER VII.3
SPOUSE'S WAIVER
(s. 130, par. 7.3.2)**

7.19. The waiver or revocation notice required under the second paragraph of section 74.0.2 of the Act must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

2. This Regulation comes into force on (*insert the date of coming into force of section 36 and paragraph 2 of section 39, to the extent that it concerns paragraph 7.3.2, of chapter 43 of the Statutes of 2007*).

8637

* The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, made by Order in Council 1842-88 dated 14 December 1988 (1988, *G.O.* 2, 4149), was last amended by the regulation made by Conseil du trésor Decision 204927 dated 8 May 2007 (2007 *G.O.* 2, 1435). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

Gouvernement du Québec

T.B. 206221, 1 April 2008

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1)

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11)

An Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12)

Public sector pension plans — Various regulations — Amendments

Regulation to amend various regulations under certain public sector pension plans

WHEREAS, under paragraph 1.0.1 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), subparagraph 9.0.2 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), paragraph 8.1 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) and paragraph 8.0.1 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), enacted respectively by section 11, paragraph 2 of section 82 and sections 110 and 128 of chapter 43 of the Statutes of 2007, the Government may, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan, determine or establish the information that the spouse's waiver or revocation notice must contain;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers by Order in Council 708-94 dated 18 May 1994, the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988 and the Conseil du trésor made the Regulation under the Act respecting the Teachers Pension Plan by its Decision 169291 dated 29 November 1988 and the Regulation under the Act respecting the Civil Service Superannuation Plan by its Decision 169292 dated 29 November 1988;

WHEREAS it is expedient to amend those regulations in order to determine or establish the information that the spouse's waiver or revocation notice must contain;

WHEREAS the pension committee of those pension plans has been consulted;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel under the public and parapublic sectors, except certain powers;

WHEREAS the consultation has taken place;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend various regulations under certain public sector pension plans, attached hereto, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Regulation to amend various regulations under certain public sector pension plans

An Act respecting the Pension Plan of Certain Teachers¹ (R.S.Q., c. R-9.1, s. 41.8, par. 1.0.1; 2007, c. 43, s. 11)

An Act respecting the Government and Public Employees Retirement Plan² (R.S.Q., c. R-10, s. 134, 1st par., subpar. 9.0.2; 2007, c. 43, s. 82)

An Act respecting the Teachers Pension Plan³ (R.S.Q., c. R-11, s. 73, par. 8.1; 2007, c. 43, s. 110)

¹ The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers, made by Order in Council 708-94 dated 18 May 1994 (1994, *G.O.* 2, 2046), was last amended by the regulation made by T.B. Decision 203094 dated 6 December 2005 (2005, *G.O.* 2, 5493).

² The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by Order in Council 1035-2007 dated 28 November 2007 (2007, *G.O.* 2, 3677) and by the regulation made by T.B. Decision 205756 dated 4 December 2007 (2007, *G.O.* 2, 3981).

³ The Regulation under the Act respecting the Teachers Pension Plan, made by T.B. Decision 169291 dated 29 November 1988 (1988, *G.O.* 2, 4085), was last amended by the regulation made by T.B. Decision 204928 dated 8 May 2007 (2007, *G.O.* 2, 1436).

An Act respecting the Civil Service Superannuation Plan⁴
(R.S.Q., c. R-12, s. 109, par. 8.0.1; 2007, c. 43, s. 128)

1. The Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers is amended by inserting the following at the beginning:

**“DIVISION 0.0.1
SPOUSE’S WAIVER
(s. 35.0.1)**

0.0.1. The waiver or revocation notice required under the second paragraph of section 35.0.1 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1) must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

2. The Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended by inserting the following after section 12.6:

**“DIVISION VII.2
SPOUSE’S WAIVER
(s. 134, par. 9.0.2)**

12.7. The waiver or revocation notice required under the second paragraph of section 59.0.1 of the Act must be dated and indicate the name and address of the employee, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

3. The Regulation under the Act respecting the Teachers Pension Plan is amended by inserting the following after section 9:

**“CHAPTER IX.1
SPOUSE’S WAIVER
(s. 73, par. 8.1)**

9.1. The waiver or revocation notice required under the second paragraph of section 60.2 of the Act must be dated and indicate the name and address of the teacher, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

4. The Regulation under the Act respecting the Civil Service Superannuation Plan is amended by inserting the following after section 7:

**“CHAPTER VII.1
SPOUSE’S WAIVER
(s. 109, par. 8.0.1)**

7.1. The waiver or revocation notice required under the second paragraph of section 82.4 of the Act must be dated and indicate the name and address of the officer, of the person who ceased to participate in the plan or of the pensioner, as the case may be, and the name and address of the spouse.”.

5. This Regulation comes into force on (*insert the date of coming into force of sections 9, 11, 62, paragraph 2 of section 82, sections 107, 110, 121 and 128 of chapter 43 of the Statutes of 2007*).

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⁴ The Regulation under the Act respecting the Civil Service Superannuation Plan, made by T.B. Decision 169292 dated 29 November 1988 (1988, *G.O.* 2, 4088), was last amended by the regulation made by T.B. Decision 204928 dated 8 May 2007 (2007, *G.O.* 2, 1436).

For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

Erratum

Notice

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Gazette officielle du Québec, Part 2, March 26, 2008,
Vol. 140, No. 13, page 966.

On page 966, in the title of the notice, the name of the Nature Reserve should be red “Tortue-des-Bois-de-la-Shawinigan” instead of “Tortue-des-bois-de-la-Shawinigan”.

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

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