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<sup>DU</sup>  
**Québec**

**Part**

**2**

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**Laws and Regulations**

Volume 142

## **Summary**

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### Contents

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- (2) proclamations of Acts;
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**PROVINCE OF QUÉBEC**

1ST SESSION

39TH LEGISLATURE

QUÉBEC, 29 SEPTEMBER 2010

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**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 29 September 2010*

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

- 111 An Act to amend the Act respecting labour standards in order to facilitate reciprocal enforcement of decisions ordering the payment of a sum of money

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



**PROVINCE OF QUÉBEC**

1ST SESSION

39TH LEGISLATURE

QUÉBEC, 8 OCTOBER 2010

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## OFFICE OF THE LIEUTENANT-GOVERNOR

*Québec, 8 October 2010*

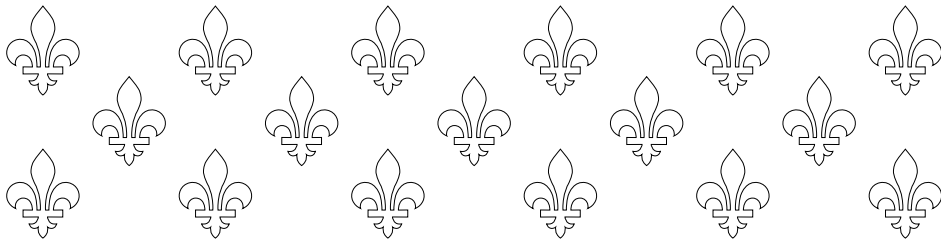
This day, at forty minutes past seven o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

116 An Act concerning the acquisition of cars for the Montréal subway

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







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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 111  
(2010, chapter 21)

**An Act to amend the Act respecting  
labour standards in order to facilitate  
reciprocal enforcement of decisions  
ordering the payment of a sum of money**

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**Introduced 11 June 2010  
Passed in principle 21 September 2010  
Passed 29 September 2010  
Assented to 29 September 2010**

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**Québec Official Publisher  
2010**

**EXPLANATORY NOTES**

*This Act allows the Commission des normes du travail to send to the competent authority of another State a request for the enforcement of a decision rendered in Québec and ordering the payment of a sum of money under the Act respecting labour standards. In addition, the Commission is empowered to ensure enforcement in Québec of decisions of the same nature rendered in another State if, among other things, that State is recognized by the Government as offering reciprocity in the enforcement of decisions rendered in Québec.*

*Lastly, this Act grants the Commission the power to enter into agreements, according to law, with a government other than that of Québec, or with an international organization, for the purposes of the provisions under its administration.*

**LEGISLATION AMENDED BY THIS ACT:**

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

## Bill 111

### AN ACT TO AMEND THE ACT RESPECTING LABOUR STANDARDS IN ORDER TO FACILITATE RECIPROCAL ENFORCEMENT OF DECISIONS ORDERING THE PAYMENT OF A SUM OF MONEY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 6.1 of the Act respecting labour standards (R.S.Q., chapter N-1.1) is amended by adding the following paragraph at the end:

“It may also, according to law, enter into an agreement with another government or an international organization, or a body of such a government or organization, for the purposes of the Acts and regulations under its administration.”

**2.** Section 39 of the Act is amended by adding the following paragraph at the end:

“(16) send to the competent authority of a State a request for the enforcement of a decision ordering the payment of a sum of money under this Act.”

**3.** The Act is amended by inserting the following sections after section 39:

**“39.0.0.1.** The Commission ensures that decisions rendered outside Québec under an Act having similar objectives to those of this Act are enforced in Québec, provided all of the following conditions are met:

(1) the State in which the decision was rendered is recognized by a government order, on the recommendation of the Minister of Labour and, as applicable, the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, as having legislation substantially similar to this Act and as offering reciprocity in the enforcement of decisions concerning employment standards;

(2) a request to that effect is made to the Commission by the competent authority of the State concerned, accompanied by a certified copy of the decision and a certificate attesting that the decision is no longer subject to ordinary redress and is final or enforceable, and by the address and other contact information for the Québec residence, domicile, business establishment, head office or office of the employer concerned and, if applicable, of the other debtors subject to the decision;

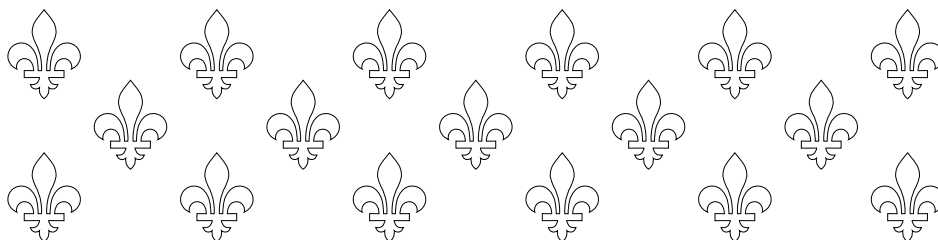
(3) the decision orders the payment of a sum of money and is, in the opinion of the Commission, consistent with public order.

**“39.0.0.2.** On receipt of a request that meets the requirements of section 39.0.0.1, the Commission files the certified copy of the decision, together with the certificate, with the office of the Superior Court in the district where the residence, domicile, business establishment, head office or office of the employer or another debtor concerned is situated.

As of the date of its filing with the office of the Superior Court, the decision is equivalent to a judgment rendered by that court and has all the effects of such a judgment.

**“39.0.0.3.** The employer or another debtor concerned may, in accordance with the Code of Civil Procedure (chapter C-25), oppose enforcement of the decision on any ground set out in that Code or in paragraphs 1 to 5 of article 3155 of the Civil Code.”

**4.** This Act comes into force on 29 September 2010.



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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 116  
(2010, chapter 22)

## **An Act concerning the acquisition of cars for the Montréal subway**

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**Introduced 6 October 2010  
Passed in principle 7 October 2010  
Passed 7 October 2010  
Assented to 8 October 2010**

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**Québec Official Publisher  
2010**

**EXPLANATORY NOTES**

*The purpose of this Act is the making of a contract for the acquisition of cars for the Montréal subway.*

*It also aims to rule out any legal action concerning the process under way for the making of the acquisition contract, as well as any legal action relating to acts performed under this Act.*

## Bill 116

### AN ACT CONCERNING THE ACQUISITION OF CARS FOR THE MONTRÉAL SUBWAY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Société de transport de Montréal (the Société) must make an offer to the group formed by Bombardier Transport Canada Inc. and Alstom Canada Inc. (the group) to enter into a contract by mutual agreement with the Société for the purpose of the acquisition of 468 subway cars equipped with rubber tires. The offer must be made in accordance with the other terms stipulated in the agreement in principle reached between the parties on 14 December 2009.

**2.** The contract must be entered into by the Société and the group not later than 7 November 2010. The Government may extend the deadline by up to 30 days.

If the contract has not been entered into by 7 November 2010, the Government may, as of that date and even if the extension has not expired, enter into the contract in the name of the Société, on the terms referred to in section 1, in which case the contract is binding on the Société.

**3.** For a contract entered into by the Société under sections 1 and 2 to be binding, it must be approved by the Government.

**4.** No legal action may be brought or continued against the Société or the Attorney General for acts performed between 31 July 2008 and 8 October 2010 in relation to the planned acquisition of subway cars by the Société, or for any other act performed under this Act.

**5.** This Act prevails over any other legislative provision and terminates the process under way on 8 October 2010 for the acquisition of subway cars by the Société.

**6.** This Act comes into force on 8 October 2010.





## Regulations and other Acts

Gouvernement du Québec

### O.C. 870-2010, 20 October 2010

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 the second paragraph of section 55 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), 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 2 of section 97 of the Act, the Government may, by regulation, determine, in particular, the method of computing the annual rent for a lease of exclusive hunting rights;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may, in addition to the other regulatory powers conferred on it, make regulations prescribing norms respecting the registration of animals and fixing the fees exigible for the registration;

WHEREAS the Government made the Regulation respecting hunting activities (R.R.Q., c. C-61.1, r. 1);

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 7 July 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife and the Minister for 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. 55, 97, par. 2, and 162, pars. 14 and 16)

**1.** The Regulation respecting hunting activities (R.R.Q., c. C-61.1, r. 1) is amended in section 2 by striking out paragraphs 2 and 3.

**2.** The heading of DIVISION II is amended by striking out “CERTIFICATE AND”.

**3.** Sections 3 to 5.1 and 6.1 are revoked.

**4.** Section 7 is amended

(1) by inserting “, including a resident’s hunting licence of one of the classes referred to in section 7.3 of the Regulation respecting hunting (c. C-61.1, r. 12),” after “Northern leopard frog, Green frog, Bull frog” hunting licence” in the first paragraph;

(2) by adding “provided for in the Regulation respecting hunting” after “trapper’s certificate” in the second paragraph.

**5.** Section 7.1 is amended

(1) by replacing “listed in Column I of Schedule I to the Regulation respecting hunting (c. C-61.1, r. 12) hunting licence” in the first paragraph by “hunting licence listed in Column I of Schedule I to the Regulation respecting hunting (c. C-61.1, r. 12), including a resident’s hunting licence of one of the classes referred to in section 7.3 of that Regulation,”;

(2) by replacing “4.1” in the third paragraph by “7.3 of the Regulation respecting hunting” and “4.0.1” by “7.2 of that Regulation”.

**6.** Section 7.2.0.1 is amended by adding the following paragraph:

“A person between 12 and 24 years of age referred to in the first paragraph who holds a licence issued by a draw of lots referred to therein may also use a valid regular hunting licence for white-tailed deer or moose issued to a holder referred to in that paragraph, on the conditions set out therein.”.

**7.** The heading of subdivision 4 “Conditions for holding a hunting licence” is replaced by “Shooting near roads”.

**8.** Sections 9 to 13.1 are revoked.

**9.** Section 15 is amended by adding the following at the end of the fourth paragraph:

“They also apply to hunters hunting in the municipalities of the regional county municipalities of Avignon and Bonaventure.”.

**10.** Sections 16 and 17 are revoked.

**11.** Section 21 is amended by replacing “the Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32)” in the first paragraph by “section 21.1”.

**12.** The following is added after section 21:

“**21.1.** The registration fees for caribou, white-tailed deer, moose, black bear and wild turkey are \$6.00.

As of 1 April 2011, the fees are adjusted annually by applying to their value for the preceding year the annual percentage change, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI), published by Statistics Canada.

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

**13.** The following is inserted after section 23:

**“DIVISION V.I  
RENT FOR A LEASE OF EXCLUSIVE RIGHTS**

**23.1.** The annual rent for a lease of exclusive hunting rights is \$17.90/km<sup>2</sup> and must not be less than \$162.76.

As of 1 April 2011, those amounts are adjusted annually by applying to their value for the preceding year the annual percentage change, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI), published by Statistics Canada.

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

**14.** Section 29 is amended by replacing “4” by “7”.

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

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Gouvernement du Québec

**O.C. 875-2010, 20 October 2010**

Highway Safety Code  
(R.S.Q., c. C-24.2)

**Special permits  
— Amendments**

Regulation to amend the Regulation respecting special permits

WHEREAS, under subparagraph 20 of the first paragraph of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine the amount of the fee exigible and the conditions and formalities for obtaining a special permit and the conditions attached to such a permit according as the permit relates to an outsized vehicle or to a vehicle used for the transportation of a load exceeding its length or its width;

WHEREAS the Government made the Regulation respecting special permits by Order in Council 1444-90 dated 3 October 1990;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed by section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the fifteenth day following that date where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force in the case of the Regulation to amend the Regulation respecting special permits attached to this Order in Council:

— sections 83.1 and 83.3 of the Financial Administration Act (R.S.Q., c. A-6.001) provide that fees are adjusted on 1 January of each year, starting on 1 January 2011;

— the Regulation changes the rules for calculating the fees exigible for a general permit covering a period of less than 12 months so as to give effect to the annual adjustment provided for in the Financial Administration Act;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting special permits, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the regulation respecting special permits\*

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 20)

**1.** The Regulation respecting special permits is amended in section 17.1 by replacing the first paragraph by the following:

“**17.1.** The fees exigible for a general permit of a given class covering a period of less than 12 months are those obtained by adding the following amounts:

(1) the fees exigible for a specific permit of the same class; and

(2) the product obtained by multiplying the number of months to be authorized by the monthly fees. The monthly fees are those obtained by dividing by 12 the difference between the annual fees exigible for the general permit of the same class and the fees exigible for the specific permit of the same class.

\* The Regulation respecting special permits, made by Order in Council 1444-90 dated 3 October 1990 (1990, *G.O.* 2, 2567), was last amended by the regulation made by Order in Council 384-99 dated 31 March 1999 (1999, *G.O.* 2, 478). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

Despite the foregoing, for a Class 6 permit covering a period of less than 12 months, issued to travel on a bridge where a sign prohibits travel by oversized vehicles, where the permit is issued to the holder of a Class 4 or Class 5 general permit or to the holder of a Class 6 general permit authorizing travel on the network of autoroutes referred to in Schedule 4 or on all public highways, the fees exigible are those obtained by adding the following amounts:

(1) the fees exigible for a Class 6 specific permit issued to travel on a bridge in the above-mentioned circumstances; and

(2) the product obtained by multiplying the number of months to be authorized by the monthly fees. The monthly fees are those obtained by dividing by 12 the difference between the annual fees exigible for the Class 6 general permit issued to travel on a bridge in the above-mentioned circumstances and the fees exigible for the Class 6 specific permit issued to travel on a bridge in the above-mentioned circumstances.”

**2.** Section 18 is amended by replacing the second and third paragraphs by the following:

“An amount exigible under this Regulation is rounded off as follows:

(1) where the amount is less than \$10, to the nearest multiple of \$0.05;

(2) where the amount is equal to or greater than \$10 but less than \$25, to the nearest multiple of \$0.10;

(3) where the amount is equal to or greater than \$25 but less than \$100, to the nearest multiple of \$0.25;

(4) where the amount is equal to or greater than \$100, to the nearest multiple of \$1.00.

An amount that is equidistant from 2 multiples is rounded off to the higher multiple.

To be eligible for the fees exigible for a Class 6 permit issued to travel on a bridge where a sign prohibits travel by oversized vehicles, where that permit is issued to the holder of a Class 4 or Class 5 general permit or to the holder of a Class 6 general permit authorizing travel on the network of autoroutes referred to in Schedule 4 or on all public highways, the applicant must indicate to the Société the number of the permit held at the time of the application.”

**3.** This Regulation comes into force on 1 November 2010.

Gouvernement du Québec

## O.C. 876-2010, 20 October 2010

Highway Safety Code  
(R.S.Q., c. C-24.2)

### Road vehicle registration

#### — Amendments

Regulation to amend the Regulation respecting road vehicle registration

WHEREAS, under paragraph 8.5 of section 618 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may, by regulation, establish the method to be applied for rounding off the amount of registration duties and of the additional duties;

WHEREAS the Government made the Regulation respecting road vehicle registration by Order in Council 1420-91 dated 16 October 1991;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the fifteenth day following that date where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force in the case of the Regulation to amend the Regulation respecting road vehicle registration:

— sections 83.1 and 83.3 of the Financial Administration Act (R.S.Q., c. A-6.001) provide that, as of 1 January 2011, fees are adjusted on 1 January of each year;

— the Regulation amends the methods of computing the duties payable for obtaining registration and the duties to be reimbursed for cancelling a registration, to give effect to the annual adjustment provided for in the Financial Administration Act;

— sections 19 and 25 of the Regulation respecting road vehicle registration provide that the owner of a passenger vehicle whose surname begins with B must every year pay the registration fees to retain the right to operate the vehicle not later than 31 January of each year, and that payment may be made as of 1 November of the preceding year;

— as of 1 November 2010, the owner of a passenger vehicle whose surname begins with B may pay the registration fees to retain the right to operate the vehicle in 2011;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting road vehicle registration, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting road vehicle registration\*

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 618, par. 8.5)

1. The Regulation respecting road vehicle registration is amended by replacing section 15 by the following:

“15. An amount payable or refundable calculated under this Regulation is rounded off as follows:

(1) where the amount is less than \$10, to the nearest multiple of \$0.05;

(2) where the amount is equal to or greater than \$10 but less than \$25, to the nearest multiple of \$0.10;

(3) where the amount is equal to or greater than \$25 but less than \$100, to the nearest multiple of \$0.25;

(4) where the amount is equal to or greater than \$100, to the nearest multiple of \$1.00;

\* The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111), was last amended by the regulation made by Order in Council 688-2009 dated 10 June 2009 (2009, *G.O.* 2, 1803A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

An amount that is equidistant from 2 multiples is rounded off to the greater thereof.”.

**2.** Section 61 is amended

(1) by replacing “determined in” in the first paragraph by “calculated according to”;

(2) by replacing “of \$2.50” in the second paragraph by “calculated according to the third paragraph”;

(3) by adding the following after the second paragraph:

“The monthly contribution is the quotient obtained by dividing by 12 the amount fixed under section 1 of the Regulation respecting the contribution of motorists to public transit (O.C. 1504-91, 91-10-30).”.

**3.** Section 75.1 is amended

(1) by replacing “determined in” in the first paragraph by “calculated according to”;

(2) by replacing “determined in” in the second paragraph by “calculated according to”;

(3) by replacing “determined in” in the third paragraph by “calculated according to”;

(4) by replacing “of \$2.50” in the fourth paragraph by “calculated according to the third paragraph of section 61”.

**4.** Section 78 is amended by replacing “are \$13.80” by “are the fees obtained by dividing by 5 the amount fixed under the second paragraph of section 141”.

**5.** Section 79 is amended by replacing “are \$36.40” by “are the fees obtained by dividing by 5 the amount fixed under section 104”.

**6.** Section 80 is replaced by the following:

“**80.** The monthly fees for a moped are the fees obtained by dividing by 6 the amount fixed under the first paragraph of section 101.”.

**7.** Section 81 is amended by replacing “are \$6.67” by “are the fees obtained by dividing by 6 the amount fixed under the second paragraph of section 101”.

**8.** Section 82 is amended by replacing “are \$18.20” by “are the fees obtained by dividing by 10 the amount fixed under section 115”.

**9.** Section 83 is amended by replacing “are \$32.50” by “are the fees obtained by dividing by 10 the amount fixed under section 119”.

**10.** Section 84 is amended by replacing “are \$39.40” by “are the fees obtained by dividing by 10 the amount fixed under section 120”.

**11.** Section 85 is amended by replacing “are \$46.30” by “are the fees obtained by dividing by 10 the amount fixed under section 121”.

**12.** Section 86 is replaced by the following:

“**86.** Subject to sections 90, 125 and 126, the monthly fees for a passenger vehicle or a motor home with a net weight of 3,000 kg or less are the fees obtained by dividing by 12 the amount fixed under the third paragraph of section 97.

Where the owner’s principal residence is located in a peripheral region described in section 2R1 of the Regulation respecting the application of the Fuel Tax Act (c. T-1, r. 1), the monthly fees referred to in the first paragraph are reduced by the amount calculated by dividing by 12 the amount fixed in the fourth paragraph of section 97.

Where the owner’s principal residence is located in a specified region described in section 2R1 of the Regulation respecting the application of the Fuel Tax Act, the monthly fees referred to in the first paragraph are reduced by the amount calculated by dividing by 12 the amount fixed in the fifth paragraph of section 97.”.

**13.** Section 86.1 is amended by replacing “are \$8.80” by “are the fees obtained by dividing by 5 the amount fixed under the second paragraph of section 137”.

**14.** Section 147 is amended

(1) by replacing “of \$50.42” by “calculated according to the second paragraph”;

(2) by adding the following paragraph:

“The monthly fees are the fees obtained by dividing by 12 the amount fixed under the first paragraph of section 148.”.

**15.** Section 154 is amended

(1) by replacing “obtained by multiplying the monthly fees of \$3.33” in the first paragraph by “obtained by multiplying the monthly fees”;

(2) by adding the following at the end of the first paragraph: “The monthly fees are the fees obtained by dividing by 12 the fees fixed under section 155.”;

(3) by replacing “are \$24.58” in the second paragraph by “are the fees obtained by dividing by 12 the fees fixed under section 156”;

(4) by replacing “are \$50.42” in the third paragraph by “are the fees obtained by dividing by 12 the fees fixed under section 157”.

**16.** Section 176 is amended by replacing “of \$2.50” by “calculated according to the third paragraph of section 61”.

**17.** This Regulation comes into force on 1 November 2010.

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Gouvernement du Québec

**O.C. 877-2010, 20 October 2010**

Highway Safety Code  
(R.S.Q., c. C-24.2)

**Licences****— Amendments**

Regulation to amend the Regulation respecting licences

WHEREAS, under sections 619.2 and 619.3 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may, by regulation, fix the duties exigible for obtaining a learner’s licence, probationary licence, driver’s licence or restricted licence, and fix the calculation methods for the duties;

WHEREAS the Government made the Regulation respecting licences by Order in Council 1421-91 dated 16 October 1991;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the fifteenth day following that date where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force in the case of the Regulation to amend the Regulation respecting licences:

— sections 83.1 and 83.3 of the Financial Administration Act (R.S.Q., c. A-6.001) provide that, as of 1 January 2011, fees are adjusted on 1 January of each year;

— the Regulation amends the calculation methods for the duties payable for obtaining a licence and the duties to be reimbursed for cancelling a licence, to give effect to the annual adjustment provided for in the Financial Administration Act;

— section 73.5 of the Regulation respecting licences provides that the duties payable for a driver’s licence must be paid every year within the 3-month period ending on the birthday of the licence holder;

— a holder of a driver’s licence whose birthday is on 1 January must pay the duties payable for renewing the licence not later than 1 January 2011, and he or she may effect payment as of 2 October 2010;

WHEREAS it is expedient to make the Regulation;

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

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

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting licences\*

Highway Safety Code  
(R.S.Q., c. C-24.2, ss. 619.2 and 619.3)

**1.** The Regulation respecting licences is amended by replacing section 55 by the following:

“**55.** An amount payable or refundable calculated under this Chapter is rounded off as follows:

- (1) where the amount is less than \$10, to the nearest multiple of \$0.05;
- (2) where the amount is equal to or greater than \$10 but less than \$25, to the nearest multiple of \$0.10;
- (3) where the amount is equal to or greater than \$25 but less than \$100, to the nearest multiple of \$0.25;
- (4) where the amount is equal to or greater than \$100, to the nearest multiple of \$1.00;

An amount that is equidistant from 2 multiples is rounded off to the greater thereof.”

**2.** Section 57 is amended

(1) by replacing “\$1.33” in the second paragraph by “the monthly duties calculated according to the third paragraph”;

(2) by adding the following after the second paragraph:

“The monthly duties are the quotient obtained by dividing by 24 the amount fixed under the first paragraph.”

**3.** Section 58 is amended by replacing “\$1.33” in the second paragraph by “the monthly duties calculated according to the third paragraph of section 57”.

**4.** Section 61 is amended

(1) by replacing “\$1.33” by “the monthly duties calculated according to the second paragraph” and by replacing “\$1.75” by “the monthly duties calculated according to the third paragraph”;

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

“The monthly duties for a driver’s licence, except a licence exclusively in class 6D or 8, are the quotient obtained by dividing by 12 the duties fixed for that licence under section 60.

The monthly duties for a driver’s licence exclusively in class 6D or 8 are the quotient obtained by dividing by 12 the duties fixed for that licence under section 60.”

**5.** Section 65 is amended

(1) by replacing “under section 61” in the second paragraph by “under the first paragraph of section 61”;

(2) by replacing “\$1.33” in the second paragraph by “the monthly duties calculated according to the second paragraph of section 61” and by replacing “\$1.75” by “the monthly duties calculated according to the third paragraph of section 61”.

**6.** Section 66 is amended by replacing “\$1.33” in the third paragraph by “the monthly duties calculated according to the second paragraph of section 61” and by replacing “\$1.75” by “the monthly duties calculated according to the third paragraph of section 61”.

**7.** Section 70.1 is amended by replacing “\$1.33” by “the monthly duties calculated according to the second paragraph of section 61” and by replacing “\$1.75” by “the monthly duties calculated according to the third paragraph of section 61”.

**8.** Section 73.3 is amended

(1) by replacing “the amount obtained by multiplying \$1.33” in the first paragraph by “the fees obtained by dividing by 12 the product obtained by multiplying \$16”;

(2) by replacing “the amount obtained by multiplying \$1.75” in the second paragraph by “the fees obtained by dividing by 12 the product obtained by multiplying \$21”.

**9.** Section 73.4 is amended

(1) by replacing “\$1.33” in the second paragraph by “the monthly duties calculated according to the third paragraph of section 57”;

(2) by replacing “\$1.33” in the third paragraph by “the monthly duties calculated according to the second paragraph of section 61” and by replacing “\$1.75” by “the monthly duties calculated according to the third paragraph of section 61”.

\* The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was last amended by Order in Council 1395-2009 dated 21 December 2009 (2010, *G.O.* 2, 63A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 April 2010.

**10.** Section 79 is amended by replacing “\$1.33” by “the monthly duties calculated according to the third paragraph of section 57”.

**11.** Section 80 is amended by replacing “\$1.33” by “the monthly duties calculated according to the third paragraph of section 57”.

**12.** Section 81 is amended by replacing “\$1.33” by “the monthly duties calculated according to the third paragraph of section 57”.

**13.** Section 82 is amended by replacing “\$1.33” by “the monthly duties calculated according to the second paragraph of section 61”.

**14.** Section 83 is amended by replacing “\$1.33” by “the monthly duties calculated according to the second paragraph of section 61”.

**15.** Section 84 is amended by replacing “\$1.33” by “the monthly duties calculated according to the second paragraph of section 61”.

**16.** Section 84.1 is amended by replacing “the product obtained by multiplying \$1.33” by “obtained by dividing by 12 the product obtained by multiplying \$16”.

**17.** Section 84.2 is amended by replacing “the product obtained by multiplying \$1.33” by “obtained by dividing by 12 the product obtained by multiplying \$16”.

**18.** Section 84.3 is amended by replacing “the product obtained by multiplying \$1.33” by “obtained by dividing by 12 the product obtained by multiplying \$16”.

**19.** Section 84.4 is replaced by the following:

“**84.4.** The amount of a reimbursement applicable to a driver’s licence exclusively in class 6D or 8, in the cases referred to in sections 82 to 84, is obtained by applying the rules in those sections, with the reference to “the second paragraph of section 61” replaced by “the third paragraph of section 61”.”

**20.** The following is inserted after section 84.4:

“**84.5.** The amount of the reimbursement applicable to a restricted licence issued pursuant to section 76.1.1 of the Highway Safety Code, exclusively in class 8, in the cases referred to in sections 84.1 to 84.3, is obtained by applying the rules in those sections, with the reference to “\$16” replaced by “\$21”.”

**21.** This Regulation comes into force on 1 November 2010.

## M.O., 2010

### Order number AM 2010-009 of the Minister of Health and Social Services dated 12 October 2010

An Act respecting bargaining units in the social affairs sector  
(R.S.Q., c. U-0.1)

Date on which sections 88 to 92 of the Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1) take effect for an institution

CONSIDERING the Act respecting bargaining units in the social affairs sector, which introduces a union representation system applicable to associations of employees and institutions in the social affairs sector whose negotiation process is governed by the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2);

CONSIDERING that under section 71 of the Act respecting bargaining units in the social affairs sector, the Minister determines by order the date on which sections 88 to 92 take effect for an institution in which there are fewer than four bargaining units;

CONSIDERING that sections 88 to 92 of the Act govern the determination of the first clauses negotiated and agreed at the local or regional level;

CONSIDERING that by Orders 2004-020 dated 21 December 2004, 2005-007 dated 14 July 2005, 2005-017 dated 22 November 2005 and 2007-004 dated 18 May 2007 made by the Minister of Health and Social Services, sections 88 to 92 of the Act respecting bargaining units in the social affairs sector took effect for the institutions listed in the Order;

CONSIDERING that it is expedient to determine the date on which sections 88 to 92 of the Act take effect for another institution;

CONSIDERING that, within the meaning of the fourth paragraph of section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors, an institution includes an agency;

THEREFORE, the Minister of Health and Social Services hereby determines 1 November 2010 to be the date on which sections 88 to 92 of the Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1) take effect for the Agence de la santé et des services sociaux de la Côte-Nord.

YVES BOLDOC,  
*Minister of Health and Social Services*



**M.O., 2010****Order number AM 2010-042 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 30 September 2010**

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 AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING sections 56 and 163 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;

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under section 56 or under subparagraphs 1 and 12 of the first paragraph of section 163 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 (R.R.Q., c. C-61.1, r. 12);

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

ORDER AS FOLLOWS:

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

Québec, 30 September 2010

SERGE SIMARD, NATHALIE NORMANDEAU,  
*Minister for Natural Resources and Wildlife* *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. 56 and 163, 1st par., subpars. 1, 3 and 12)

**1.** The Regulation respecting hunting (R.R.Q., c. C-61.1, r. 12) is amended in section 2 by replacing paragraph 1 by the following:

“(1) “small game” means the following animals: quail (*Coturnix coturnix*), red-winged blackbird (*Agelaius phoeniceus*), northern bobwhite (*Colinus virginianus*), American crow (*Corvus brachyrhynchos*), coyote (*Canis latrans*), European starling (*Sturnus vulgaris*), pheasant (*Phasianus sp.*), black francolin (*Francolinus francolinus*), ruffed grouse (*Bonasa umbellus*), rock ptarmigan (*Lagopus mutus*), willow ptarmigan (*Lagopus lagopus*), Eastern cottontail rabbit (*Sylvilagus floridanus*), Arctic hare (*Lepus arcticus*), snowshoe hare (*Lepus americanus*), wolf (*Canis lupus*), woodchuck (*Marmota monax*), house sparrow (*Passer domesticus*), rock partridge (*Alectoris graeca*), chukar partridge (*Alectoris chukar*), gray partridge (*Perdix perdix*), red-legged partridge (*Alectoris rufa*), rock dove (*Columba livia*), guinea fowl (*Numida meleagris*), common grackle (*Quiscalus quiscula*), raccoon (*Procyon lotor*), red, cross or silver fox (*Vulpes vulpes*), sharp-tailed grouse (*Tympanuchus phasianellus*), spruce grouse (*Dendragapus canadensis*), brown-headed cowbird (*Molothrus ater*) and migratory game birds under the Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22).”.

**2.** The following is added after section 3:

“**3.1.** To obtain a hunter’s or trapper’s certificate, a person must

- (1) be a resident;
- (2) be 12 years of age or more;
- (3) provide his or her name, address and date of birth;
- (4) take the course on the handling of the weapon in respect of which the certificate is applied for or on the trapping and management of fur-bearing animals; and
- (5) pass the examination corresponding to the course taken and hold an attestation to that effect.”.

**3.** The following is added after section 7:

**“7.1.** To obtain a resident’s hunting licence, a resident must hold a hunter’s or trapper’s certificate; the certificate is not required for the “Northern leopard frog, Green frog, Bullfrog”, “Snaring of hare or Eastern cottontail rabbit” and “Small game using a bird of prey” hunting licences. The resident must also provide his or her name, address and date of birth, as well as the number of the hunter’s or trapper’s certificate when it is required.

In addition, to obtain the following hunting licences, the resident must have been selected by random draw:

(1) “Caribou, valid for the part of Area 22 shown on the plan in Schedule XII”;

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

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

(3) “Moose, female more than 1 year old”.

**7.2.** In addition to the conditions set out in the first paragraph of section 7.1, 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 7.3.

**7.3.** Despite section 7.1, a resident 12 years of age or older who does not hold a hunter’s or trapper’s certificate may obtain, only once in that person’s lifetime and in the same year, any category of resident’s hunting licence provided for in Schedule I provided that the resident never held a hunter’s or trapper’s certificate bearing code “A”, “B” or “F”.

The resident cannot hunt unless accompanied by another resident holding a hunter’s or trapper’s certificate appropriate to the hunting implement used and, in the case of wild turkey hunting, holding the attestation referred to in section 7.2. The other resident must be at least 25 years of age and may accompany only one resident at a time.

**7.4.** To obtain a non-resident’s hunting licence, a person must be 12 years of age or older and provide his or her name, address and date of birth.

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

**4.** The following is added after section 8:

**“8.1.** The holder of a resident’s or non-resident’s hunting licence must enter his or her name, address and date of birth on the back of the licence when any of those particulars does not appear on the front or is inaccurate.”.

**5.** Section 9 is amended by replacing “6.1 of the Regulation respecting hunting activities (c. C-61.1, r. 1)” in subparagraph 2 of the third paragraph by “9.1”.

**6.** The following is added after section 9:

**“9.1.** Where the area number entered on a “Moose, all areas” hunting licence is wrong, the holder of the licence may obtain a “Moose, correction of 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, correction of 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 13.1, 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, correction of area” hunting licence is applied for.

To obtain a “Moose, correction of area” licence, the holder of a “Moose, all areas” licence must not have used it to participate in a hunting activity in a place mentioned in the third paragraph of section 13.3.

In addition, for the purposes of the first paragraph, where 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.** Section 11 is amended by replacing “shall be valid for 1 year from 1 April” in the third paragraph by “is annual and valid from the date of its issue”.

**8.** Section 13 is amended by adding the following paragraph:

“The number of “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII” hunting licences that an outfitter is authorized to issue is limited per year to the number shown in Schedule II.1.”.

**9.** The following is added after section 13:

**§3. Conditions for holding a hunting licence**

**13.1.** The holder of a hunting licence may hunt only the animal or group of animals specified on the licence and, in the case of caribou, white-tailed deer or moose, only in the area or part of that area specified on the licence.

However, the holder of a non-resident “Caribou, valid for Area 23 (winter)” licence cannot hunt in the southern part of Area 23, shown on the plan in Schedule XVIII.

The holder of a “Moose, all areas” hunting licence may, irrespective of the area for which the licence is issued, participate in a restricted hunt in a wildlife sanctuary or in a hunting expedition in a restricted access sector of a controlled zone, in a territory where exclusive hunting rights have been granted to an outfitting operation, or in the territories whose plans are shown in Schedules CXLVII, CXLVIII and CLXXXIX.

In addition, where a hunter’s or trapper’s certificate is required to obtain a hunting licence, the holder of that licence may hunt only with the hunting weapon corresponding to the code specified on the certificate and defined in section 5.

**13.2.** The holder of a resident’s “Moose, all areas” hunting licence who hunts with a type 13 implement may use the licence only if the date of issue of the licence is prior to the opening date of the hunting season with that implement, in the area in question.

In addition, in the southern part of Area 19 and in Areas 22 and 27, the licence holder may use his or her licence only if the date of issue of that licence is prior to the opening date of the latest hunting season with a type 13 implement provided for those areas.

However, a licence issued after the date prescribed in the first paragraph may be used where, pursuant to section 12, it replaces a licence issued prior to that date or where the holder participates in a restricted hunt in a wildlife sanctuary or in a hunting expedition in a restricted access sector of a controlled zone, 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; this also applies to the area in question provided that the holder has already hunted in one of those territories.

**13.3.** Subject to section 7.3, the holder of a resident’s “wild turkey” hunting licence must, to hunt wild turkey, hold and carry the attestation referred to in section 7.2.

**13.4.** The holder of a “Moose, all areas” hunting licence who has obtained a “Moose, correction of area” hunting licence may no longer hunt in the area specified on the initial licence, and must carry both licences when hunting.

**13.5.** Subject to the second paragraph of section 7.2.0.1 of the Regulation respecting hunting activities (c. C-61.1, r. 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 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.

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 hawk’s licence referred to in section 75 of the Regulation respecting animals in captivity (c. C-61.1, r. 5) or the hawk’s licence referred to in section 80 of that Regulation or be accompanied by a holder of the latter licence.

**13.6.** A resident may, during a year, hold only the following hunting licences:

(1) “Caribou, valid for the part of Area 22 shown on the plan in Schedule XII”;

(2) “Caribou, valid for Area 23 (winter)” and “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII”;

(3) “Caribou, valid for Area 23 (fall)” or “Caribou, valid for Area 24”;

(4) “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)”;

(5) “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers that measure less than 7 cm, in Area 20”; and

(6) a hunting licence of each of the following types:

(a) “Northern leopard frog, Green frog, Bullfrog”;

(b) “Snaring of hare or Eastern cottontail rabbit”;

(c) “Moose, all areas”;

(d) “Moose, female, more than 1 year old”;

(e) “Moose, correction of area”;

(f) “Black bear”;

(g) “Small game”;

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

(i) “Wild turkey”.

For the purposes of this section, the licences replaced in accordance with section 12 are not considered.

**13.7.** A non-resident may, during a year, hold only the following hunting licences:

(1) “Caribou, valid for Area 23 (fall)”, “Caribou valid for Area 23 (winter), except for the southern part shown on the plan in Schedule XVIII” and “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII”;

(2) “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers less than 7 cm, in Area 20”; and

(3) a hunting licence of each of the following types:

(a) “White-tailed deer, elsewhere than in Area 20”;

(b) “Moose, all areas”;

(c) “Moose, correction of area”;

(d) “Black bear”;

(e) “Small game”; and

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

For the purposes of this section, the licences replaced under section 12 are not considered.

**13.8.** The holder of a non-resident’s “Small game” hunting licence, the holder’s spouse or a person covered by section 7.1 or 7.2 of the Regulation respecting hunting activities using that licence may not hunt hare or Eastern cottontail rabbit using snares.

#### *§4. Obligations of the holder of a hunting licence*

**13.9.** The holder of a hunting licence for non-residents must use the services of an outfitting operation when hunting north of the 52nd parallel or in the southern part of Area 19, east of rivière Saint-Augustin.

When hunting black bear or woodcock south of the 52nd parallel, the licence holder must use at least 2 services of an outfitting operation, including lodging, except in a wildlife sanctuary and in a controlled zone; in addition, where the licence holder hunts black bear in the territory of an outfitting operation without exclusive rights in Area 13 or 16, except for the controlled territories governed by chapter IV of the Act respecting the conservation and development of wildlife, the licence holder must also hold a licence issued for that purpose by such an outfitter in one of those areas.

**13.10.** The holder of a “Caribou, valid for the part of Area 22 the plan of which appears in Schedule XVII” hunting licence or of a “Caribou, valid for Area 23 (fall)” or a “Caribou, valid for Area 23 (winter)” hunting licence must use the services of an outfitter to hunt caribou in those areas, unless the licence holder is a resident of the Northeastern Québec region as described in Schedule 5 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1) and is hunting in the western sector of that region.

The holder of a “Caribou, valid for the part of Area 22 the plan of which appears in Schedule XII” licence, who obtained the licence from the holder of a licence of that category selected by random draw, referred to in section 2 of Schedule II, may hunt using that licence provided the licence holder selected by random draw or a person referred to in section 7.2 of the Regulation respecting hunting activities is present in that part of the area during the hunt.”.

**10.** Section 34.2 is replaced by the following:

“**34.2.** Every person who contravenes any of sections 7.1 to 7.4, 8, 8.1, 9.1, 11 to 30 and 32 to 34.1 commits an offence.”.

**11.** The Regulation is amended by inserting the appended Schedule II.1.

**12.** Schedule III is amended

(1) by replacing “27” in column IV “Hunting season” of subparagraph *a* of paragraph 3 of section 6 by “20”;

(2) by replacing “10” in column IV “Hunting season” of subparagraph *b* of paragraph 3 of section 6 by “17”.

**13.** Schedule IV is amended

(1) by replacing the hunting season indicated in section 2 for type of implement 11, for the “Dumoine”, “Maganasipi” and “Restigo” Zecs, by “from the Saturday on or closest to 18 September to the Sunday on or closest to 3 October”;

(2) by replacing the hunting season indicated in section 2.1 for type of implement 9, for the “Dumoine”, “Maganasipi” and “Restigo” Zecs, by “from the Monday on or closest to 18 October to the Sunday on or closest to 24 October”.

**14.** Section 8 of this Regulation and Schedule II.1 introduced by section 11 of this Regulation cease to apply as of 1 April 2012.

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

**SCHEDULE II.1**  
**NUMBER OF HUNTING LICENCES PER**  
**OUTFITTING OPERATION**  
 (s. 13)

## 1. Number of Caribou hunting licences

i. Caribou hunting licence valid for the part of Area 22 shown on the plan in Schedule XVII (from 15 November to 15 December)

Reference number of the outfitting operation	Number of licences
10-526	1,280
10-536	240
10-537	240
10-605	800
10-609	1,280
10-611	168

ii. Caribou hunting licence valid for the part of Area 22 shown on the plan in Schedule XVII (from 16 December to 15 February)

Reference number of the outfitting operation	Number of licences
10-526	2,560
10-536	480
10-537	480
10-605	1,600
10-609	2,560
10-611	336
1068	

**M.O., 2010**

**Order number AM 2010-043 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 30 September 2010**

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

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

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING subparagraph 4 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may make regulations on the matters set forth therein, in particular, setting the fees payable for the licences;

CONSIDERING the making of the Regulation respecting the scale of fees and duties related to the development of wildlife (R.R.Q., c. C-61.1, r. 32);

CONSIDERING that, 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 21 October 2009 with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, attached hereto, is hereby made.

Québec, 30 September 2010

SERGE SIMARD, NATHALIE NORMANDEAU,  
Minister for Natural Minister of Natural Resources  
Resources and Wildlife and Wildlife

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

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 163, 1st par., subpar. 4)

**1.** The Regulation respecting the scale of fees and duties related to the development of wildlife (R.R.Q., c. C-61.1, r. 32) is amended in section 11 by striking out subparagraph 2 of the first paragraph.

**2.** Section 12 is amended

(1) by striking out “, 2” in the part preceding paragraph 1;

(2) by striking out paragraph 2.

**3.** Section 14.1 is amended by striking out paragraphs 1, 2, 3 and 5.

**4.** Schedule I is amended by replacing “Moose, in a new area” in paragraph *b* of section 5 by “Moose, correction of area”.

**5.** Schedule II is amended in the “Species” column and regarding the “La Vérendrye” wildlife sanctuary by replacing the group of species

“White-tailed deer,  
ruffed grouse,  
spruce grouse (*i.3*)\*,  
snowshoe hare”

by

“White-tailed deer,  
ruffed grouse,  
spruce grouse,  
snowshoe hare (*i.3*)\*”.

**6.** Schedule V is amended

(1) in Column II of section 6 by replacing “Rivière Humqui sector” by

#### “Rivière Humqui sector

The territory shown on the plan under the heading “Rivière Humqui sector” in Schedule VII.0.1 to the Regulation respecting wildlife sanctuaries.”;

(2) in Column II of section 8 by replacing “Schedule VII” by “Schedule VII.1”.

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

1069

### M.O., 2010

#### Order number AM 2010-044 of the minister of Natural Resources and Wildlife and the minister for Natural Resources and Wildlife dated 12 October 2010

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

CONCERNING the replacement of the Regulation respecting the Rimouski Wildlife Sanctuary

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the de Rimouski Wildlife Sanctuary was established in accordance with the Regulation respecting the de Rimouski Wildlife Sanctuary (R.R.Q., c. C-61.1, r. 68);

CONSIDERING that under the first paragraph of section 111 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may establish wildlife sanctuaries on land in the domain of the State and dedicate them to the conservation, development and utilization of wildlife and accessorially to the carrying on of recreational activities incidental there to;

CONSIDERING that under section 191.1 of this Act, regulations made by the Government in particular under section 111 of this Act before 1 January, 1987 continue to be in force until they are, from 17 June, 1998 replaced or repealed by an order of the Minister;

CONSIDERING section 80 of the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11) which provides that, unless the context indicates otherwise, in any other Act, text or document, a reference to the minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec, the Minister responsible for Wildlife and Parks or to the Société de la faune et des parcs du Québec is a reference to the Minister of Natural Resources, Wildlife and Parks;

CONSIDERING that it is expedient to replace the Regulation respecting the Rimouski Wildlife Sanctuary;

ORDER THAT:

The territory, whose boundaries are shown on the map appended to the present order, be established as a Wildlife Sanctuary designated by the name of “Rimouski Wildlife Sanctuary”;

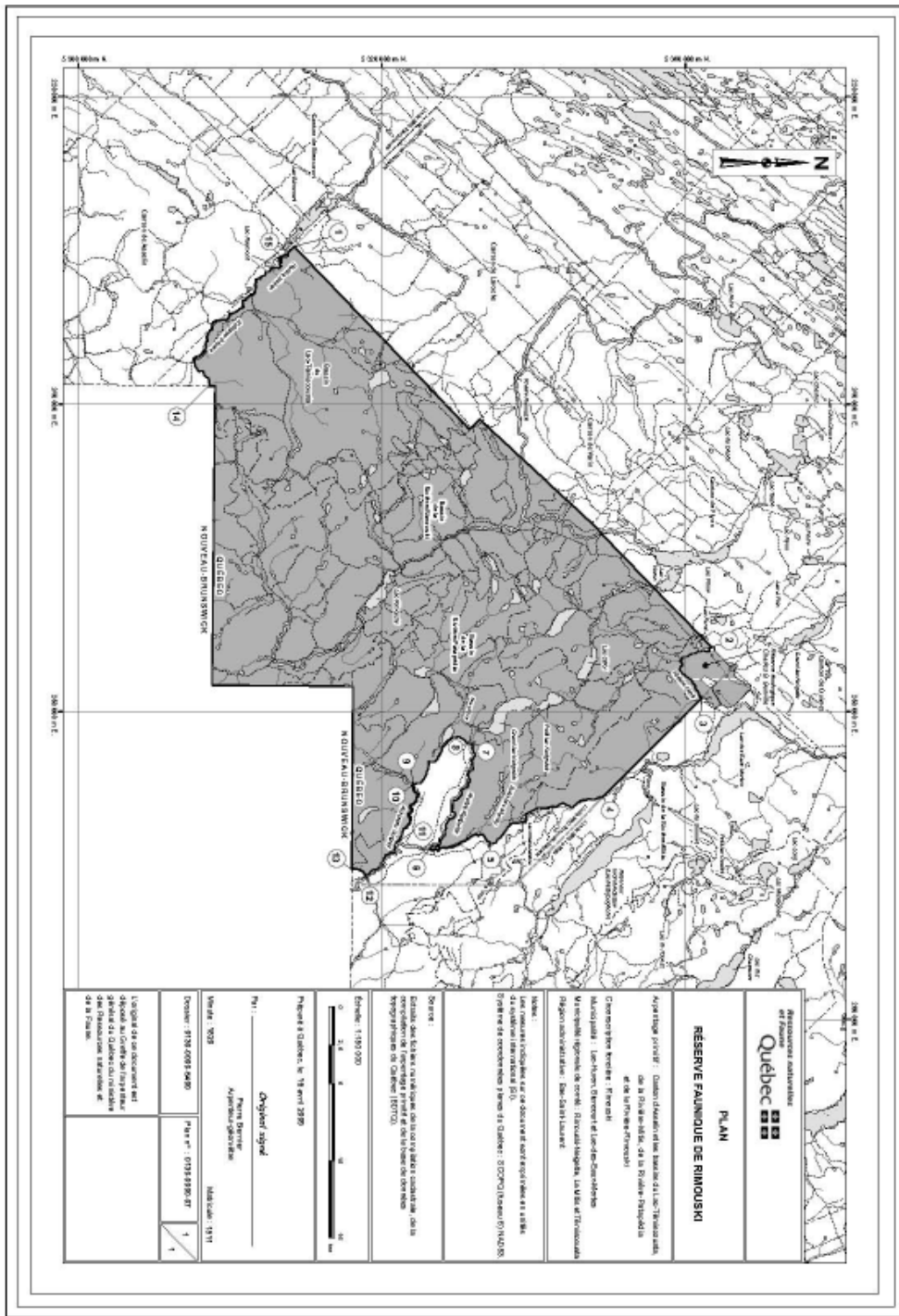
This Order replaces the Regulation respecting the Rimouski Wildlife Sanctuary (R.R.Q., c. C-61.1, r. 68);

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

Québec, 12 October 2010

SERGE SIMARD,                      NATHALIE NORMANDEAU,  
*Minister for Natural*            *Minister of Natural Resources*  
*Resources and Wildlife*       *and Wildlife*

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**M.O., 2010**

**Order number AM 2010-045 of the minister of Natural Resources and Wildlife and the minister for Natural Resources and Wildlife dated 12 October 2010**

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

CONCERNING the replacement the Order in Council of the Bas-Saint-Laurent Controlled Zone

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the Bas-Saint-Laurent Controlled Zone was established by Order in Council concerning the Bas-Saint-Laurent Controlled Zone (R.R.Q., c. C-61.1, r. 83);

CONSIDERING that under the first paragraph of section 104 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may establish controlled zones on land in the domain of the State for the development, harvesting and conservation of wildlife or a species of wildlife and for the carrying on of recreational activities incidental there to;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides in particular that orders made by the Government under section 104 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced or repealed by an order of the Minister of the Environment and Wildlife;

CONSIDERING section 80 of the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11) which provides that, unless the context indicates otherwise, in any other Act, text or document, a reference to the minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec, the Minister responsible for Wildlife and Parks or to the Société de la faune et des parcs du Québec is a reference to the Minister of Natural Resources, Wildlife and Parks;

CONSIDERING that it is expedient to replace the Order in Council of the Bas-Saint-Laurent Controlled Zone;

ORDER THAT:

The territory, whose boundaries are shown on the map appended to the present order, be established as a controlled zone designated by the name of “Bas-Saint-Laurent Controlled Zone”;

This Order replaces the Order in Council concerning the Bas-Saint-Laurent Controlled Zone (R.R.Q., c. C-61.1, r. 83);

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

Québec, 12 October 2010

SERGE SIMARD,  
*Minister for Natural  
Resources and Wildlife*

NATHALIE NORMANDEAU,  
*Minister of Natural Resources  
and Wildlife*

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**M.O., 2010****Order number AM 2010-046 of the minister of Natural Resources and Wildlife and the minister for Natural Resources and Wildlife dated 12 October 2010**

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

CONCERNING the Schedule 3 to Order in Council 573-87 dated 8 April, 1987 concerning the designation and delimitation of land in the domain of State

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April, 1987 designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources;

CONSIDERING that under the first paragraph of section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may delimit areas on lands in the domain of the State in view of increased utilization of wildlife resources and the carrying on of recreational activities incidental there to;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides in particular that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced or repealed by an order of the Minister of the Environment and Wildlife;

CONSIDERING section 80 of the Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11) which provides that, unless the context indicates otherwise, in any other Act, text or document, a reference to the minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec, the Minister responsible for Wildlife and Parks or to the Société de la faune et des parcs du Québec is a reference to the Minister of Natural Resources, Wildlife and Parks;

CONSIDERING that it is expedient to replace Schedule 3 of Order in Council 573-87 dated 8 April, 1987;

ORDER THAT:

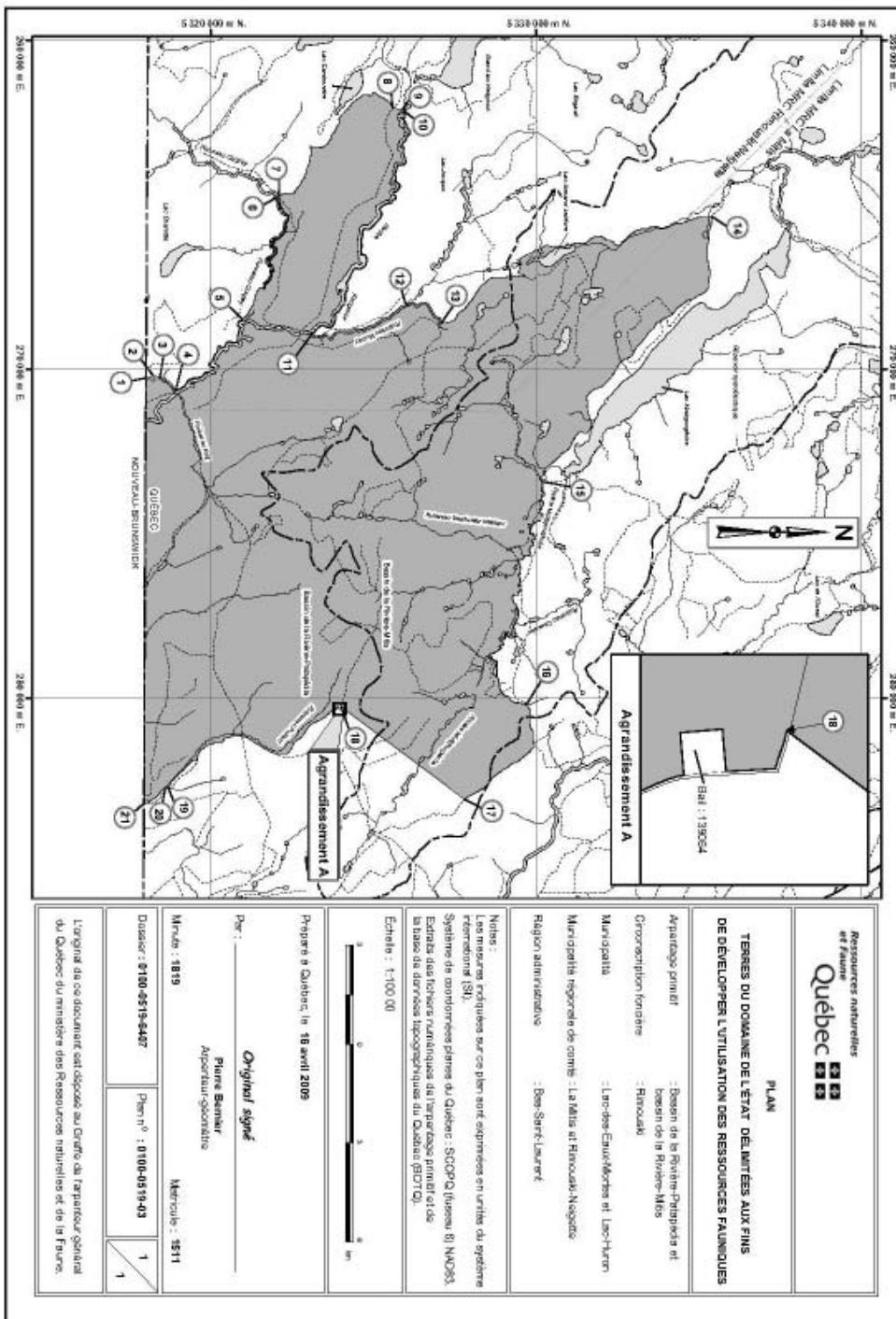
Schedule 3, attached here to be replaced for Schedule 3 to Order in Council 573-87 dated 8 April, 1987;

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

Québec, 12 October 2010

SERGE SIMARD, <i>Minister for Natural Resources and Wildlife</i>	NATHALIE NORMANDEAU, <i>Minister of Natural Resources and Wildlife</i>
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Resources naturelles  
et faune  
**Québec**

PLAN  
**TERRES DU DOMAINE DE L'ÉTAT DÉLIVRÉES AUX FINS  
DE DÉVELOPPER L'UTILISATION DES RESSOURCES FAUNDIQUES**

Apartage prioritaire : Bassin de la Rivière-Patriote et bassin de la Rivière-Mis  
Circoscription territoriale : Rimouki  
Municipalité : Lac-des-Éaux-Vives et Lac-Huron

Municipalité régionale de comté : La Mitis et Rimouki-Nord-du-Golf  
Région administrative : Bas-Saint-Laurent

Notes :  
Les mesures indiquées sur ce plan sont exprimées en unités du système international (SI).  
Système de coordonnées planes du Québec : SCS92 (niveau B) NAD83.  
Extrait des fichiers numériques de l'arpentage prioritaire et de la base de données topographiques du Québec (BTTO).



Projeté à Québec le 18 avril 2009

Original signé  
Pierre Béteaur  
Arpenteur-ographe  
Membre : 1819  
Métrique : 1511

Dossier : 8100-0519-6407  
Plan n° : 0100-0519-03  
1 / 1

L'original de ce document est déposé au Greffe du Répertoire général du Québec du ministère des Ressources naturelles et de la Faune.

## Draft Regulations

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### Draft Regulation

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

#### **Certified general accountants — Conditions applicable to the use of the title of auditor**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the conditions applicable to the use of the title of auditor, made by the board of directors of the Ordre des comptables généraux accrédités du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines, pursuant to section 187.10.2.1 of the Professional Code (R.S.Q., c. C-26), the conditions applicable to the use of the title of auditor of a member of the Ordre des comptables généraux accrédités du Québec.

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

Further information may be obtained by contacting Mario Dusseault, Ordre des comptables généraux accrédités du Québec, 500, place d'Armes, bureau 1800, Montréal (Québec) H2Y 2W2; telephone: 514 861-1823 or 1 800 463-0163; fax: 514 861-7661; e-mail: mdusseault@cga-quebec.org

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

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

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### Regulation respecting the conditions applicable to the use of the title of auditor

Professional Code  
(R.S.Q., c. C-26, s. 187.10.2.1)

**1.** A Certified General Accountant who uses the “Auditor” designation may only do so if it is preceded by the “Certified General Accountant” designation or the initials “CGA”.

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

1088

### Draft Regulation

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

#### **Certified management accountants — Conditions applicable to the use of the title of auditor**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the use of the title of auditor of the Ordre des comptables en management accrédités du Québec, made by the board of directors of the Ordre des comptables en management accrédités du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines, pursuant to section 187.10.2.1 of the Professional Code (R.S.Q., c. C-26), the conditions applicable to the use of the title of auditor of a member of the Ordre des comptables en management accrédités du Québec.

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

Further information may be obtained by contacting Isabelle F. LeBlanc, Ordre des comptables en management accrédités du Québec, 715, rue du Square-Victoria, 3<sup>e</sup> étage, Montréal (Québec) H2Y 2H7; telephone: 514 849-1155 or 1 800 263-5390; fax: 514 849-9674; e-mail: i.leblanc@cma-quebec.org

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

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

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### **Regulation respecting the use of the title of auditor of the Ordre des comptables en management accrédités du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 187.10.2.1)

**1.** A certified management accountant may only use the title of “auditor” if it is preceded by the title of “certified management accountant” or the initials “C.M.A.”.

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

1086

### **Draft Regulation**

Professional Code  
(R.S.Q., c. C-26, s. 187.10.2.1)

#### **Chartered accountants — Conditions applicable to the use of the title of auditor**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the terms of use of the auditor designation for Quebec chartered accountants, made by the board of directors of the Ordre des comptables agréés du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines, pursuant to section 187.10.2.1 of the Professional Code (R.S.Q., c. C-26), the conditions applicable to the use of the title of auditor of a member of the Ordre des comptables agréés du Québec.

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

Further information may be obtained by contacting Christiane Brizard, Ordre des comptables agréés du Québec, 680, rue Sherbrooke Ouest, 18<sup>e</sup> étage, Montréal (Québec) H3A 2S3; telephone: 514 288-3256 or 1 800 363-4688; fax: 514 843-8375; e-mail: www.ocaq.qc.ca

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

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

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### **Regulation respecting the terms of use of the auditor designation for Quebec chartered accountants**

Professional Code  
(R.S.Q., c. C-26, s. 187.10.2.1)

**1.** No chartered accountant may use the title of auditor unless the title is placed immediately after the “chartered accountant” designation or the initials “C.A.”

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

1087

### **Draft Regulation**

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

#### **Geologists — Code of ethics**

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that the “Geologists Code of Ethics,” adopted by the Board of Directors of the Ordre des géologues du Québec, may be submitted to the Government which may approve it, with or without amendment, upon the expiry of a period of 45 days from the date of publication hereof.

This proposed regulation sets out the general and specific duties of geologists toward the public, clients and the profession.

This proposed regulation has no repercussions for businesses, in particular small and medium-sized businesses.

Additional information may be obtained from Mr. Alain Liard, Secretary and Executive Registrar of the Ordre des géologues du Québec, 500, rue Sherbrooke Ouest, bureau 900, Montréal (Québec) H3A 3C6; telephone number: 514 278-6220 or 1 888 377-7708; fax number: 514 844-7556.

Anyone who has comments to make may forward them, within the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. These comments will be conveyed by the Office des professions to the Minister of Justice and Minister responsible for the administration of legislation respecting the professions; they may also be conveyed to the Ordre des géologues as well as to any persons, government departments or agencies concerned.

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

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## Geologists Code of Ethics

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

### SECTION I DUTIES TOWARD THE PUBLIC

**1.** Geologists shall take into account the potential repercussions of their work on society, in particular, on the health, safety and property of all persons as well as on the quality of the environment.

**2.** Geologists shall practise their profession in accordance with generally accepted professional and scientific standards.

To that end, they shall ensure that they upgrade their skills and update their theoretical and technical knowledge as well as that of their employees.

**3.** Geologists shall conduct themselves in an upstanding manner with every person with whom they deal.

They shall, in particular, act with courtesy, dignity, moderation and objectivity.

**4.** When geologists foresee, in the course of their work, that geological conditions could have negative repercussions, they shall inform the person in charge and recommend to him or her in writing more suitable means of performing the work. They shall notify the Ordre of any failure by the person in charge to follow their recommendations within a reasonable period of time.

**5.** Geologists shall refrain from practising their profession under circumstances or in a state likely to compromise the quality of their work.

**6.** If a geologist has reason to believe that one of his or her documents is being used without his or her authorization or in an unlawful or misleading manner, he or she shall notify the appropriate authorities thereof, failing which he or she shall notify the Ordre.

**7.** Geologists shall ensure that the individuals who assist them are qualified to carry out the tasks they are assigned.

**8.** Geologists shall take reasonable measures to ensure that any other person collaborating with them in the practice of the profession as well as the firm in which they practise comply with the Geologists Act (L.R.Q., c. G-1.01), the Professional Code (R.S.Q., c. C-26) and their regulations.

**9.** Geologists practising with a firm shall take reasonable measures to ensure that all documents produced in the practice of the profession by the firm bear a geologist's name or the name of an entitled registered professional.

**10.** The duties and obligations arising from the Geologists Act, the Professional Code and their regulations are in no way modified or diminished by the fact that a geologist practises the profession with a firm.

### SECTION II DUTIES TOWARD CLIENTS

#### DIVISION I GENERAL DUTIES

**11.** Geologists shall provide clients with competent, diligent, objective and honest professional services.

**12.** Before agreeing to provide professional services, geologists shall take into account the limitations of their knowledge and abilities, as well as the means at their disposal.

**13.** Before providing professional services, geologists shall sign a written agreement with the client specifying, in particular, the work methodology, the objectives of the

parties for each stage of the project, the project schedule as well as the fees and terms of payment. Any amendment to such agreement shall be indicated in writing.

**14.** When it is in the client's interest, geologists shall retain the services of another competent person, with the client's express authorization, or advise the client to do so himself or herself.

**15.** Geologists may provide an opinion, make a recommendation and/or submit a document only under the following conditions:

1. they have collected adequate and sufficient information given the purpose of the work;

2. they specify the quality of information and data on which their opinions, recommendations, documents are based;

3. they emphasize and explain the shortcomings in the information available and, where appropriate, the need to obtain additional information in order to improve the results.

**16.** Geologists shall recognize at all times the client's right to consult another geologist, the member of another professional order or any other suitable person and shall, where applicable, collaborate fully with such other geologist, member or person.

**17.** Geologists shall refrain from intervening in their client's personal affairs in areas that are unrelated to the practice of the profession.

**18.** Geologists shall refrain from urging anyone whomsoever repeatedly or insistently to retain their professional services.

## **DIVISION II** **INTEGRITY**

**19.** Geologists shall fulfill their professional duties with intellectual honesty and integrity.

**20.** Geologists shall investigate only the facts pertinent to the professional services they are providing and shall refrain from using their position to obtain information that is not pertinent to the services being rendered.

**21.** Geologists shall inform the client as quickly as possible of any event that has or could have a significant impact on the professional services being rendered.

**22.** Geologists shall handle with reasonable care the property entrusted to them by the client and shall not lend or use such property for purposes other than those for which it was entrusted to them.

**23.** Geologists shall avoid performing professional acts that are not justified by the nature and objectives of the work agreed to with the client.

## **DIVISION III** **AVAILABILITY AND DILIGENCE**

**24.** Geologists shall demonstrate availability and diligence in the practice of their profession.

**25.** Geologists shall provide the client with the explanations the client needs to understand and assess the services rendered. They shall report to the client when the client so requests.

**26.** Geologists may not unilaterally terminate their professional services to a client without fair and reasonable cause. The following, in particular, constitutes fair and reasonable cause:

1. the geologist loses the client's trust;

2. the geologist is in a conflict of interest or in a situation where his or her professional independence could be questioned;

3. the client attempts to induce the geologist to perform unlawful, unfair or immoral acts;

4. the geologist has been misled by the client;

5. the client has failed to cooperate with the geologist;

6. the client ignores the geologist's opinions and recommendations;

7. the client refuses to pay the geologist's fees;

8. the geologist is unable to reach the client or obtain the items from the client that he or she deems necessary for providing his or her services.

**27.** Before terminating their professional services to a client, geologists shall notify the client in writing, with a reasonable delay, specify the reasons for termination and ensure that termination does not cause the client serious prejudice.



#### DIVISION IV LIABILITY

**28.** Geologists shall fully commit their personal civil liability in the practice of their profession. They may not exclude or limit such liability or attempt to do so.

Neither shall they invoke the responsibility of the firm in which they practise their profession or that of another person who also practise their profession with that firm in order to exclude or limit their responsibility.

#### DIVISION V INDEPENDENCE AND IMPARTIALITY

**29.** Geologists shall put the client's interests before their own personal interests and, where applicable, before those of the firm with which they practise or in which they have an interest and before those of any other person working with the firm.

**30.** Geologists shall disregard any initiative by a third party that could influence the performance of their professional duties to the client's detriment.

**31.** Geologists shall demonstrate objectivity when persons likely to become clients ask them for information.

**32.** Geologists shall maintain their professional independence and avoid any situation that would represent a conflict of interest. A geologist is in a conflict of interest, in particular, when:

1. the interests at stake are such that the geologist may be inclined to prefer those interests over the client's interests, or the geologist's loyalty toward the client may be unfavourably affected;

2. a given situation gives him or her an undue benefit, direct or indirect, present or potential.

**33.** As soon as a geologist becomes aware that he or she is in a situation that represents a conflict of interest, he or she shall notify the client thereof and ask whether the client authorizes him or her to continue providing professional services.

**34.** Geologists shall refrain from offering or accepting any benefit in respect of the practice of their profession except the remuneration to which they are entitled, customary expressions of gratitude and gifts of modest value.

**35.** Geologists shall generally act strictly for one client in a given case. If geologists see that their professional practice leads them to advise more than one client in a given case, they shall inform the clients in question that they would be ethically required to terminate their professional services if the situation became incompatible with their impartiality obligation and that they would immediately notify them thereof.

#### DIVISION VI PROFESSIONAL SECRECY

**36.** Geologists who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicate—orally or in writing—information protected by professional secrecy in order to prevent an act of violence, shall record the following details in the file of the client concerned:

1. the identity of the person or persons exposed to the danger;

2. the reasons supporting the decision to communicate the information;

3. the date and the content of the information communicated, the name and coordinates of any person who received it, as well as the means of communication used.

**37.** Geologists who ask a client to reveal confidential information to them or who allow such information to be entrusted to them shall ensure, prior to receiving such information, that the client is fully aware of the different uses that may be made of such information.

**38.** Geologists shall not disclose the fact that a person has relied on their services when such disclosure is likely to be prejudicial to that person.

**39.** Geologists shall not make use of confidential information to the client's detriment in order to obtain, directly or indirectly, a benefit for themselves or for a third party.

**40.** Geologists shall decline any work that involves or may involve the disclosure or use of confidential information or documents obtained from another client, without the latter's consent.

**41.** Geologists shall take all necessary measures to ensure that their collaborators and employees refrain from disclosing or using confidential information of which they become aware in carrying out their duties and, in particular, shall inform them of the confidentiality obligation in respect of the work.

**DIVISION VII****ACCESS TO DOCUMENTS IN A FILE,  
CORRECTION OR DELETION OF INFORMATION,  
FILING OF COMMENTS AND RETURN  
OF DOCUMENTS**

**42.** Geologists shall follow up on any request for access to documents, for the correction or deletion of information and for the filing of comments, pursuant to sections 60.5 and 60.6 of the Professional Code, promptly and no later than 30 days of receipt.

**43.** Geologists shall follow up free of charge on any request for access to documents pursuant to section 60.5 of the Professional Code.

Nonetheless, geologists may charge fees not exceeding the cost of preparing a transcript or reproduction of the documents or of transmitting a copy thereof. In such a case, they shall inform the requester of the amount payable before proceeding with such transcript, reproduction or transmission.

**44.** Geologists who refuse a request for access to information in a file prepared in respect of a client, pursuant to the second paragraph of section 60.5 of the Professional Code, shall inform the requester in writing within 30 days following the request of the reasons for such refusal as well as the recourses provided for by law.

**45.** Geologists who grant a request under section 60.6 of the Professional Code shall provide the requester free of charge with a copy of the corrected information or an attestation stating that the information has been deleted or that the comments have been included in the file.

The requester may require that the geologist forward a copy of such information or attestation to the person who provided the information or to any other person to whom the information was conveyed.

**46.** Geologists shall follow up promptly on any written request by a client to recover a document the client has entrusted to them.

Geologists shall indicate in the client's file, where applicable, the reasons supporting the client's request.

**DIVISION VIII****SETTING AND PAYMENT OF FEES  
AND EXPENSES**

**47.** Geologists shall charge and accept fair and reasonable fees.

Fees are fair and reasonable when they are warranted by the circumstances and are commensurate with the services rendered. Geologists shall take the following factors, in particular, into account when setting their fees:

1. the time required to render the services;
2. the degree of difficulty and importance of the services;
3. the need to perform unusual services or services requiring exceptional skill or speed;
4. the liability assumed.

**48.** Geologists shall, before providing professional services, agree with the client on the approximate amount of the fees, expenses and disbursements foreseeable for the work.

**49.** Geologists shall refrain from requiring advance payment for their services in full; they may, however, require instalments.

**50.** Geologists may not charge interest on outstanding accounts unless they have duly notified the client thereof. The interest thus charged shall be at a reasonable rate.

**51.** Geologists in practice with a firm shall ensure that the fees and expenses for their professional services are always indicated separately on any invoice or statement of fees that the firm sends the client, unless lump-sum remuneration was agreed upon in writing with the client, in which case the invoice or statement shall nonetheless describe the professional services provided by the geologist.

**52.** Geologists shall provide the client with all the explanations the latter needs to understand the invoice and terms of payment.

**SECTION III****DUTIES TOWARD THE PROFESSION****DIVISION I****DEROGATORY ACTS**

**53.** The following acts are derogatory to the dignity of the profession when they are performed by a geologist:

1. communicating with a person who has filed a complaint against him or her without obtaining the prior written permission of the syndic or assistant syndic;

2. threatening or otherwise intimidating a person who has reported or intends to report a derogatory act or a person who has collaborated in or intends to collaborate in an inquiry into such an act.

**54.** Convictions on the following offences are covered by subparagraphs 5 and 6 of section 45 of the Professional Code:

1. infringement of intellectual property;

2. breach of the Securities Act (R.S.Q., c. V-1.1), in particular, the offence of having undertaken operations without a prospectus or offering circular, provided false or misleading information, used inside information or made irregular public offerings;

3. breach of any other federal or Québec law in respect of environmental protection.

## DIVISION II RELATIONS WITH THE ORDRE AND COLLEAGUES

**55.** Geologists asked by the Ordre to participate in an accounts arbitration council, discipline committee, professional inspection committee or review committee may not refuse such role without a valid reason.

**56.** Geologists shall reply as quickly as possible to any request for information or to any correspondence sent by the secretary of the Ordre, the syndic, one of the assistant or associate syndics, investigators or professional inspection committee members in carrying out the duties conferred upon them by law or regulation.

**57.** Geologists shall, in their relations with the Ordre and with other geologists, conduct themselves with dignity, courtesy, respect and integrity.

**58.** Any geologist who has reason to believe that another geologist is breaching this Code, the Geologists Act or the Professional Code shall notify the Ordre thereof without delay.

**59.** Geologists shall not violate the good faith, trust or loyalty of a colleague or harm a colleague's reputation. Geologists shall not, in particular:

1. take credit for work performed by a colleague or refer to it without making explicit mention of the source and obtaining, where applicable, the authorizations required under copyright rules;

2. take advantage of their position as employer or manager to limit in any way whatsoever the professional independence of a geologist in their service or under their authority, in particular, with respect to the use of the title of geologist and the obligation of every geologist to commit his or her professional liability and to sign the documents for which he or she is responsible;

3. give their professional opinion on the work performed by a colleague without first notifying such colleague thereof and discussing it with him or her, unless they are required to do so by law.

4. deliberately harm a colleague's relationship with that colleague's clients.

**60.** If a geologist is required to review the work of a colleague or other professional, he or she shall do so in an objective and reasonable manner.

**61.** Geologists consulted by a colleague shall provide such colleague with their opinion and recommendations as quickly as possible.

**62.** In their practice, geologists must preserve their professional autonomy and recognize that they are not required to perform any task contrary to their conscience or to the principles governing their practice, including informing the Order of the pressures on them that are of a nature such as to interfere with their practice.

**63.** Geologists may not initiate legal proceedings against a colleague about a matter in respect of the practice of the profession without first requesting reconciliation from the president of the Ordre.

## DIVISION III CONTRIBUTION TO THE ADVANCEMENT OF THE PROFESSION

**64.** Geologists shall support any measure likely to improve the quality and availability of professional services in the field in which they practise.

**65.** Geologists shall contribute, insofar as possible, to the development of geology by sharing their knowledge and experience with colleagues, employees and students, as well as by contributing to training activities and exchanges of technical and scientific information.

## SECTION IV ADVERTISING AND PUBLIC DECLARATIONS

**66.** Geologists shall take reasonable measures to ensure that any other person practising the profession as well as the firm in which they practise comply with the present section.

**67.** Geologists shall avoid making exaggerated or unfounded declarations.

Geologists shall also refrain from providing inaccurate, incomplete or ambiguous information that could encourage the public to participate in risky ventures or that could cause the public substantial prejudice.

**68.** All advertising by geologists shall serve to help the public make an informed choice, shall be carried out with integrity and shall foster professionalism.

**69.** Geologists shall indicate their name and professional title in all their advertising.

**70.** Geologists shall refrain, in all their advertising, from:

1. discrediting the services offered by other geologists;

2. claiming to possess experience, professional or academic qualifications or specific abilities that they are unable to substantiate.

**71.** Geologists shall indicate in all advertising on their fees for services:

1. the nature and scope of the professional services included;

2. the additional costs and services that may be required and that are not included.

The fees advertised shall remain in effect for a period of 60 days following the date such advertising was last disseminated or published.

**72.** Geologists shall keep a copy of all advertising for a period of five years following the date it was last disseminated or published. Such copy shall be remitted to the syndic, upon request.

#### SECTION V GRAPHIC SYMBOL OF THE ORDRE

**73.** The Ordre is represented by a graphic symbol, the original of which is held by the secretary.

**74.** Geologists who reproduce the graphic symbol of the Ordre shall ensure that it is a true likeness of the original held by the secretary.

When geologists use this symbol in their advertising, they shall not lead the public to believe that such advertising is that of the Ordre.

**75.** Geologists practising with a firm shall ensure that the firm uses the graphic symbol of the Ordre strictly when all the services provided by the firm are professional geologist services.

In the event that a firm provides professional geologist services as well as the services of individuals other than geologists with whom geologists are authorized to practise their professional activities, the firm may use the graphic symbol of the Ordre provided it also uses the graphic symbol identifying each of the professional orders or bodies of which such individuals are members.

#### SECTION VI FIRM NAME

**76.** Geologists shall not practise with a firm under a name that is numerical, misleading, deceptive or contrary to the honour and dignity of the profession.

**77.** When a practising partner passes away, retires or leaves the partnership, his or her name shall be removed from the firm name within 30 days of his or her departure, unless there is a written agreement to the contrary with such partner or his or her successors.

#### SECTION VII FINAL PROVISION

**78.** This Code shall come into effect on the fifteenth day following its date of publication in the *Gazette officielle du Québec*.

1085

### Draft regulation

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

#### Physicians — Professional activities that may be engaged in by an athletic therapist

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting certain professional activities that may be engaged in by an athletic therapist”, adopted by the board of directors of the Collège des médecins du Québec, the text of which appears below, may be submitted to the government, which may approve it, with or without amendment, upon expiry of the 45 days that follow this publication.

The purpose of this Regulation is to allow an athletic therapist to engage in the following professional activities:

— evaluate musculoskeletal function when it presents a problem or incapacity of musculoskeletal origin and when the condition with which it is associated, if any, is in a chronic phase and a controlled state;

— use invasive forms of energy;

— provide treatment to wounds;

— administer topical medications that have been the subject of a prescription as part of the use of forms of invasive energy and for treatments of wounds.

It is not anticipated that this Regulation will have any impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting, M<sup>re</sup> Linda Bélanger, Assistant Director of the Legal Services Division, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; Telephone No.: 1 888 633-3246 or 514 933-4441, extension 5362; Fax No.: 514 933-3276; email: lbelanger@cmq.org

Any person having comments is asked to send them, before the expiry period indicated above, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>th</sup> floor, Québec City, Québec, G1R 5Z3. Comments will be forwarded by the Office to the Minister of Justice and Minister responsible for the administration of legislation respecting the professions; they may also be sent to the Collège des médecins du Québec, as well as to interested persons, departments and organizations.

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

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## Regulation respecting certain professional activities that may be engaged in by an athletic therapist

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

**1.** The purpose of this regulation is to determine, amongst the professional activities that physicians may engage in, those professional activities that may be engaged in by an athletic therapist pursuant to the terms and conditions set out herein.

**2.** In this regulation, the following definitions apply:

(1) “athlete” is a person who, at an introductory, recreational, competitive or elite level, engages in a physical activity that includes some form of training, respect for certain rules of practice, supervision, technical content or practice time;

(2) “athletic therapist” is a person who has been certified by the Canadian Athletic Therapists Association and is in either of the following situations:

(a) holds a Bachelor of Science (B.Sc.) degree conferred upon completion of the Bachelor of Science Specialization in Exercise Science - Athletic Therapy Option program of Concordia University;

(b) holds a degree issued by an educational institution located outside Québec upon completion of a program in athletic therapy certified by the Canadian Athletic Therapy Association.

**3.** An athletic therapist may engage in the following professional activities with an athlete:

(1) evaluate musculoskeletal function when it presents a problem or incapacity of musculoskeletal origin and when the condition with which it is associated, if any, is in a chronic phase and a controlled state;

(2) use invasive forms of energy;

(3) provide treatment to wounds;

(4) administer topical medications that have been the subject of a prescription as part of the use of forms of invasive energy and for treatments of wounds.

An athletic therapist must engage in the professional activities provided in paragraphs (1) to (4) of the first paragraph for purposes of supervising athletes in the preparation and execution of their physical activity, offer them first aid on training and competition sites, determine their treatment plan and evaluate and treat their problem or incapacity of musculoskeletal origin in order to obtain optimum functional performance.

**4.** An athletic therapist may engage in the professional activities provided in paragraphs (2) to (4) of section 3 with any other persons if the following conditions are respected:

(1) the person presents a problem or incapacity of musculoskeletal origin and the condition with which it is associated, if any, is in a chronic phase and a controlled state;

(2) there has been a prior assessment by a physio-therapist or a medical diagnosis.

**5.** A person registered in a program of studies that leads to the degree contemplated in sub-paragraph *a* of paragraph (2) of section 2 and a person who is a candidate for certification by the Canadian Athletic Therapists Association may engage in the professional activities provided in section 3 if the following conditions are respected:

(1) they engage in these activities in accordance with sections 3 and 4 and in the presence of an athletic therapist;

(2) the practice of these activities is required to complete this program or obtain this certification.

**6.** This regulation comes into force on the fifteenth day that follows its publication in the *Gazette officielle du Québec* and shall cease to apply on the date of the fifth anniversary of its coming into force.

1084

## Draft Regulation

Pay Equity Act  
(R.S.Q., c. E-12.001)

### Report on pay equity

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

The draft Regulation identifies the employers that are subject to the obligation to submit a report on the implementation of the Pay Equity Act in their enterprises. It also specifies when the report is to be submitted and the information that it must contain.

Further information may be obtained by contacting Josée Marotte, Ministère du Travail, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1; telephone: 418 528-8182; fax: 418 643-9454.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

LISE THÉRIAULT,  
*Minister of Labour*

## Regulation respecting the report on pay equity

Pay Equity Act  
(R.S.Q., c. E-12.001, s. 4)

**1.** The following employers are subject to the obligation to submit a report on pay equity:

(1) an employer registered under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45) which, under that Act, is subject to the obligation to file an annual declaration for the current year and declared 6 employees or more in its previous annual declaration or in any other document standing in lieu of the last annual updating under that Act;

(2) the Conseil du trésor, as an employer deemed to be the employer in the public service enterprise and the parapublic sector enterprise under section 3 of the Pay Equity Act (R.S.Q., c. E-12.001);

(3) an employer registered in the central database of public bodies and corporations provided for by Order in Council 1870-93 dated 15 December 1993, except if the employer is in the public service enterprise or the parapublic sector enterprise;

(4) a group of employers recognized as the employer of a single enterprise by the Commission de l'équité salariale pursuant to section 12.1 of the Pay Equity Act;

(5) any employer registered under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons which, not having 6 employees or more or being exempt from the obligation to file an annual declaration, has already submitted a report on pay equity in which the employer declared that it was subject to the Pay Equity Act.

In this Regulation,

(1) "report on pay equity" means an employer's report on the implementation of the Pay Equity Act in the employer's enterprise, provided for in the second paragraph of section 4 of the Pay Equity Act;

(2) "annual declaration" means the declaration provided for in section 26 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

**2.** An employer referred to in subparagraph 1 or 5 of the first paragraph of section 1 is to submit a report on pay equity during the period applicable to the employer

for filing an annual declaration, provided for in section 24 of the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.R.Q., c. P-45, r. 1).

**3.** An employer referred to in paragraph 2, 3 or 4 of the first paragraph of section 1 is to submit its report on pay equity within 6 months of 1 March of each year.

**4.** The report on pay equity is submitted using the form prescribed by the Minister of Labour and includes an attestation to the accuracy of the information provided.

In addition to useful identification information, the report on pay equity contains the information required to determine whether the employer is subject to the Pay Equity Act and, where applicable, within what time limit the employer must complete any pay equity plan, determine compensation adjustments or conduct a pay equity audit. The report on pay equity of an employer required to submit it also contains

(1) the enterprise's sector of activity;

(2) an indication of whether all the pay equity plans or compensation adjustments required in the enterprise have actually been completed or determined and, if such is the case, the date of the last posting attesting to it; and

(3) an indication of whether all the pay equity audits required in the enterprise have actually been conducted and, if such is the case, the date of the last posting attesting to it.

**5.** This Regulation comes into force on 1 March 2011.





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

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