

Gazette
officielle

DU
Québec

Part

2

No. 5

2 February 2011

Laws and Regulations

Volume 143

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2011

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (R.S.Q., c. C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (Order in Council 1259-97 dated 24 September 1997), amended by the Regulation to amend the Regulation respecting the *Gazette officielle du Québec* (Order in Council 264-2004 dated 24 March 2004 (2004, G.O. 2, 1176). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates *

1. Annual subscription:

	Printed version	Internet
Partie 1 “Avis juridiques”:	\$189	\$166
Partie 2 “Lois et règlements”:	\$258	\$223
Part 2 “Laws and Regulations”:	\$258	\$223

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$9.72 per copy.

3. Downloading of documents from the Internet version of the *Gazette officielle du Québec* Part 2: \$6.87.

4. Publication of a notice in Partie 1: \$1.31 per agate line.

5. Publication of a notice in Part 2: \$0.87 per agate line. A minimum rate of \$190 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

Internet: www.publicationsduquebec.gouv.qc.ca

Printed:

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Regulations and other Acts

33-2011	Installation of petroleum equipment (Amend.)	549
34-2011	Remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles (Amend.)	550

Draft Regulations

Régie du logement, An Act respecting the... — Tariff of costs exigible by the Régie du logement	553
---	-----

Regulations and other Acts

Gouvernement du Québec

O.C. 33-2011, 19 January 2011

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

Installation of petroleum equipment — Amendment

Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting the installation of petroleum equipment (R.R.Q., c. D-2, r. 12);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, applied to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree was published in Part 2 of the *Gazette officielle du Québec* of 6 October 2010 and, on the same date, in a French language newspaper and in an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received in respect of the draft Decree;

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

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

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the installation of petroleum equipment

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

1. The Decree respecting the installation of petroleum equipment (R.R.Q., c. D-2, r. 12) is amended by replacing subsections 1 to 3 of section 9.01 by the following:

“**9.01.** (1) The minimum hourly rate payable to a service mechanic, an installation mechanic, a shop mechanic and a tank-truck mechanic is established as follows for each class of employment:

Class of employment	As of 2 February 2011
A	\$28.37
B	\$24.08
C	\$20.76;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	As of 2 February 2011
Starting	\$17.86
after 2,000 hours	\$18.30
after 4,000 hours	\$18.78
after 6,000 hours	\$19.40

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of 2 February 2011
	\$13.76.”

2. Section 11.08 is amended by replacing subparagraphs *a* to *d* of subsection 1 by the following:

“(a) \$1.37 as of 2 February 2011 for Class A mechanics;

(b) \$1.31 as of 2 February 2011 for Class B mechanics;

(c) \$1.28 as of 2 February 2011 for Class C mechanics;

(d) \$1.24 as of 2 February 2011 for all labourers.”

3. Section 12.01 is amended by replacing “2010” everywhere it appears by “2011”.

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

1288

Gouvernement du Québec

O.C. 34-2011, 19 January 2011

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Commission des lésions professionnelles — Remuneration and other conditions of office of commissioners — Amendment

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles

WHEREAS, under subparagraph 1 of the first paragraph of section 402 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Government may make regulations determining the mode of remuneration of the members of the Commission des lésions professionnelles and the applicable standards and scales, and the method for determining the annual percentage of salary advancement of commissioners up to the maximum salary rate and of the adjustment of the remuneration of commissioners whose salary has reached the maximum rate;

WHEREAS, under the third paragraph of section 402 of the Act, the regulatory provisions may vary according to whether they apply to a commissioner or a member other than a commissioner;

WHEREAS, by Order in Council 726-98 dated 27 May 1998, the Government made the Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles, amended by Order in Council 1195-2002 dated 2 October 2002;

WHEREAS the Regulation should provide the remuneration to be paid to commissioners of the Commission des lésions professionnelles when they perform their duties part time;

WHEREAS it is expedient to amend the Regulation;

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

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 402)

1. The Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles is amended by adding the following after section 1:

“**1.1.** Part-time commissioners receive fees in accordance with the hourly rate in Schedule I, up to a maximum of 7 hours of work a day.

* The Regulation respecting the remuneration and other conditions of office of commissioners of the Commission des lésions professionnelles, made by Order in Council 726-98 dated 27 May 1998 (1998, *G.O.* 2, 2175) was amended by Order in Council 1195-2002 dated 2 October 2002 (2002, *G.O.* 2, 5473).

The maximum number of work hours may be exceeded where authorized by the president of the Commission des lésions professionnelles and where special circumstances warrant it.

For the purposes of this Regulation, fees paid to the commissioners are considered to be a salary.”.

2. Schedule I is amended

(1) by replacing “(s. 1)” by “(ss. 1 and 1.1)”;

(2) by adding the following after paragraph 3:

“**4.** The hourly rate paid to commissioners performing their duties part time is calculated as follows:

(The maximum of the scale applicable to Level 3 full-time members of bodies + 20%) ÷ 261 days ÷ 7 hours per working day.

* Compensation for the absence of fringe benefits.”.

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

Draft Regulations

Draft Regulation

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1)

Régie du logement

— Tariff of costs exigible

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-8.1), that the Regulation to amend the Tariff of costs exigible by the Régie du logement, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation allows the reimbursement of costs actually incurred for a first and a new service of a proceeding filed with the Régie du logement. The costs for a first service are set up to the rate set by the Special Services and Fees Regulations (C.R.C., c. 1296) in the case of a proceeding served by registered mail or, in the case of a proceeding served by a bailiff, up to the fees provided for in the Tariff of fees and transportation expenses of bailiffs (c. H-4.1, r. 14) for the service of a proceeding, excluding transportation expenses. Where any other mode is used for the first service of a proceeding, the costs incurred by the applicant may be adjudged up to an amount of \$7. Where a new service is necessary, the costs incurred by the applicant, in addition to the costs for the first service, may be adjudged up to the fees provided for in the Tariff of fees and transportation expenses of bailiffs, including transportation expenses. Lastly, the draft Regulation increases to \$100 the maximum amount of costs that may be adjudged where a special mode of service is authorized by the Board.

In addition, the draft Regulation provides for the reimbursement of costs of service for any type of proceedings, including proceedings relating to motions to institute proceedings.

Further information may be obtained by contacting Joël Simard, Régie du logement, Rez-de-chaussée, bureau 2360, Pyramide Ouest (D), 5199, rue Sherbrooke Est, Village olympique, Montréal (Québec) H1T 3X1; telephone: 514 864-2366.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Municipal Affairs,

Regions and Land Occupancy, 10, rue Pierre-Olivier-Chauveau, Québec (Québec) G1R 4J3.

LAURENT LESSARD,
*Minister of Municipal Affairs, Regions
and Land Occupancy*

Regulation to amend the Tariff of costs exigible by the Régie du logement*

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1, s. 108, 1st par., subpar. 4)

1. The Tariff of costs exigible by the Régie du logement is amended by replacing section 7 by the following:

“**7.** Pursuant to section 79.1 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), the costs incurred by the applicant for the service of a proceeding to each party may be adjudged up to

(1) the rate set by the Special Services and Fees Regulations (C.R.C., c. 1296), for service by registered mail;

(2) the fees provided for in the Tariff of fees and transportation expenses of bailiffs (c. H-4.1, r. 14), excluding transportation expenses, for service by a bailiff;

(3) an amount of \$7, for any other mode of service.

In addition to the costs provided for in the first paragraph, where a new service is imposed, the costs incurred may be adjudged up to the fees provided for in the Tariff of fees and transportation expenses of bailiffs, including transportation expenses.

In addition to the costs provided for in the first paragraph, where a special mode of service is authorized by the Board, the costs incurred may be adjudged up to an amount of \$100.”.

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

1287

* The Tariff of costs exigible by the Régie du logement (O.C. 519-97, 1997, G.O. 2, 1813) has not been amended since it was made.

Index

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

	Page	Comments
Collective agreement decrees, An Act respecting... — Installation of petroleum equipment (R.S.Q., c. D-2)	549	M
Commission des lésions professionnelles — Remuneration and other conditions of office of commissioners (An Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001)	550	M
Industrial accidents and occupational diseases, An Act respecting... — Commission des lésions professionnelles — Remuneration and other conditions of office of commissioners (R.S.Q., c. A-3.001)	550	M
Installation of petroleum equipment (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	549	M
Régie du logement, An Act respecting the... — Tariff of costs exigible by the Régie du logement (R.S.Q., c. R-8.1)	553	Draft
Tariff of costs exigible by the Régie du logement (An Act respecting the Régie du logement, R.S.Q., c. R-8.1)	553	Draft

