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DU
Québec

Part

2

No. 14

6 April 2011

Laws and Regulations

Volume 143

Summary

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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;
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PROVINCE OF QUÉBEC

2ND SESSION

39TH LEGISLATURE

QUÉBEC, 23 MARCH 2011

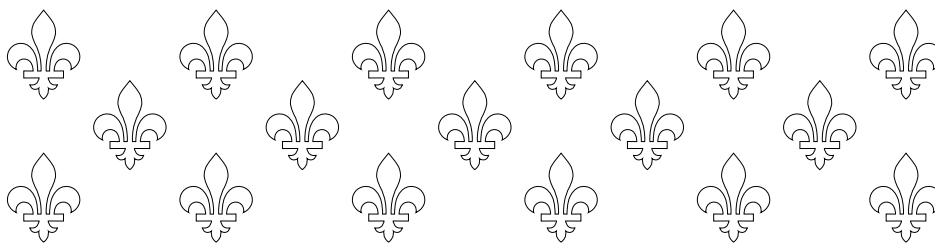
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 23 March 2011

This day, at thirty-five minutes past five o'clock in the afternoon, the Honourable the Administrator of Québec was pleased to sanction the following bill:

1 Appropriation Act No. 1, 2011-2012

To this bill the Royal assent was affixed by the Honourable the Administrator of Québec.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 1
(2011, chapter 3)

Appropriation Act No. 1, 2011-2012

Introduced 22 March 2011
Passed in principle 22 March 2011
Passed 22 March 2011
Assented to 23 March 2011

Québec Official Publisher
2011

EXPLANATORY NOTES

This Act authorizes the Government to pay out of the consolidated revenue fund, for the 2011-2012 fiscal year, a sum not exceeding \$16,412,219,362.00, representing some 31.7% of the estimates for each of the portfolio programs listed in the Schedule.

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

Bill 1

APPROPRIATION ACT NO. 1, 2011-2012

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the consolidated revenue fund a sum not exceeding \$16,412,219,362.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2011-2012 fiscal year. This sum is constituted as follows:

(1) a first portion of \$12,941,026,050.00, in appropriations allocated according to the appended programs, representing 25.0% of the appropriations to be voted in the 2011-2012 Expenditure Budget;

(2) an additional portion of \$3,471,193,312.00, in appropriations allocated according to the appended programs, representing some 6.7% of the appropriations to be voted in the 2011-2012 Expenditure Budget.

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

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

4. This Act comes into force on 23 March 2011.

SCHEDULE

AFFAIRES MUNICIPALES, RÉGIONS ET OCCUPATION
DU TERRITOIRE

	First portion	Additional portion
PROGRAM 1		
Greater Montréal Promotion and Development	32,604,900.00	17,414,783.00
PROGRAM 2		
Municipal Infrastructure Modernization	574,078,225.00	1,436,325,000.00
PROGRAM 3		
Compensation in lieu of Taxes and Financial Assistance to Municipalities	152,235,700.00	202,737,050.00
PROGRAM 4		
General Administration	17,894,400.00	
PROGRAM 5		
Regional Development and Rurality	28,703,750.00	1,000,000.00
PROGRAM 6		
Commission municipale du Québec	608,150.00	
PROGRAM 7		
Housing	113,592,325.00	
PROGRAM 8		
Régie du logement	4,361,825.00	
	924,079,275.00	1,657,476,833.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

	First portion	Additional portion
PROGRAM 1		
Bio-food Company Development, Training and Food Quality	113,963,700.00	76,000,000.00
PROGRAM 2		
Government Agencies	160,697,050.00	22,500,000.00
	<u>274,660,750.00</u>	<u>98,500,000.00</u>

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	First portion	Additional portion
PROGRAM 1		
Secrétariat du Conseil du trésor	297,898,775.00	
PROGRAM 2		
Commission de la fonction publique	925,300.00	
PROGRAM 3		
Retirement and Insurance Plans	1,104,450.00	
PROGRAM 4		
Contingency Fund	249,998,150.00	
	<hr/>	
	549,926,675.00	

CONSEIL EXÉCUTIF

	First portion	Additional portion
PROGRAM 1		
Lieutenant-Governor's Office	187,225.00	
PROGRAM 2		
Support Services for the Premier and the Conseil exécutif	16,077,225.00	
PROGRAM 3		
Canadian Intergovernmental Affairs	3,579,750.00	
PROGRAM 4		
Aboriginal Affairs	56,968,025.00	7,500,000.00
PROGRAM 5		
Youth	13,378,975.00	
PROGRAM 6		
Reform of Democratic Institutions and Access to Information	1,949,500.00	
	<hr/>	<hr/>
	92,140,700.00	7,500,000.00

CULTURE, COMMUNICATIONS ET CONDITION FÉMININE

	First portion	Additional portion
PROGRAM 1		
Internal Management, Centre de conservation du Québec and Commission des biens culturels du Québec	23,396,600.00	
PROGRAM 2		
Support for Culture, Communications and Government Corporations	141,150,050.00	11,143,380.00
PROGRAM 3		
Charter of the French Language	6,873,850.00	
PROGRAM 4		
Status of Women	1,911,875.00	
	<hr/> 173,332,375.00	<hr/> 11,143,380.00

DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET PARCS

	First portion	Additional portion
PROGRAM 1		
Environmental Protection and Parks Management	59,835,400.00	8,316,500.00
PROGRAM 2		
Bureau d'audiences publiques sur l'environnement	1,343,500.00	170,000.00
	<hr/> 61,178,900.00	<hr/> 8,486,500.00

DÉVELOPPEMENT ÉCONOMIQUE, INNOVATION ET EXPORTATION

	First portion	Additional portion
PROGRAM 1		
Financial and Technical Support for Economic Development, Research, Innovation and Exports	122,815,875.00	52,502,776.00
PROGRAM 2		
Economic Development Fund Interventions	50,276,500.00	
PROGRAM 3		
Research and Innovation Agencies	50,123,550.00	13,568,109.00
	<hr/> 223,215,925.00	<hr/> 66,070,885.00

ÉDUCATION, LOISIR ET SPORT

	First portion	Additional portion
PROGRAM 1		
Administration and Consulting	37,994,025.00	
PROGRAM 2		
Tourism and Hotel Industry Training	6,050,925.00	
PROGRAM 3		
Financial Assistance for Education	169,442,925.00	
PROGRAM 4		
Preschool, Primary and Secondary Education	2,196,635,450.00	559,188,934.00
PROGRAM 5		
Higher Education	1,237,330,100.00	597,933,925.00
PROGRAM 6		
Development of Recreation and Sports	15,936,325.00	7,843,675.00
	<hr/>	<hr/>
	3,663,389,750.00	1,164,966,534.00

EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
PROGRAM 1		
Employment Assistance Measures	217,606,850.00	50,000,000.00
PROGRAM 2		
Financial Assistance Measures	660,456,400.00	102,000,000.00
PROGRAM 3		
Administration	115,160,675.00	25,000,000.00
	<u>993,223,925.00</u>	<u>177,000,000.00</u>

FAMILLE ET AÎNÉS

	First portion	Additional portion
PROGRAM 1		
Planning, Research and Administration	13,813,525.00	
PROGRAM 2		
Assistance Measures for Families	514,834,850.00	54,819,400.00
PROGRAM 3		
Condition of Seniors	6,053,550.00	4,861,125.00
PROGRAM 4		
Public Curator	13,190,775.00	3,000,000.00
	<hr/>	<hr/>
	547,892,700.00	62,680,525.00

FINANCES

	First portion	Additional portion
PROGRAM 1		
Department Administration	14,442,650.00	
PROGRAM 2		
Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	27,786,600.00	
	42,229,250.00	

IMMIGRATION ET COMMUNAUTÉS CULTURELLES

	First portion	Additional portion
PROGRAM 1		
Immigration, Integration and Cultural Communities	78,097,875.00	
PROGRAM 2		
Agency Reporting to the Minister	207,000.00	
	<hr/>	
	78,304,875.00	

JUSTICE

	First portion	Additional portion
PROGRAM 1		
Judicial Activity	7,155,775.00	
PROGRAM 2		
Administration of Justice	70,153,925.00	8,025,000.00
PROGRAM 3		
Administrative Justice	2,968,300.00	
PROGRAM 4		
Assistance to Persons Brought before the Courts	36,606,425.00	
PROGRAM 5		
Protection Agency Reporting to the Minister	2,036,725.00	
PROGRAM 6		
Criminal and Penal Prosecutions	19,564,775.00	1,500,000.00
	<hr/>	<hr/>
	138,485,925.00	9,525,000.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

	First portion	Additional portion
PROGRAM 1		
The Public Protector	3,499,800.00	
PROGRAM 2		
The Auditor General	6,455,925.00	944,105.00
PROGRAM 4		
The Lobbyists Commissioner	739,775.00	
	<hr/>	<hr/>
	10,695,500.00	944,105.00

RELATIONS INTERNATIONALES

	First portion	Additional portion
PROGRAM 1		
International Affairs	31,664,575.00	
	<hr/>	
	31,664,575.00	

RESSOURCES NATURELLES ET FAUNE

	First portion	Additional portion
PROGRAM 1		
Management of Natural Resources	130,630,825.00	60,865,000.00
PROGRAM 2		
Protection and Development of Wildlife Resources	16,753,675.00	4,000,000.00
	<u>147,384,500.00</u>	<u>64,865,000.00</u>

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
PROGRAM 1		
Québec-wide Operations	136,576,800.00	
PROGRAM 2		
Regional Operations	4,281,357,950.00	
PROGRAM 3		
Office des personnes handicapées du Québec	3,270,850.00	
	<hr/>	
	4,421,205,600.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
PROGRAM 1		
Security, Prevention and Internal Management	138,684,725.00	5,486,800.00
PROGRAM 2		
Sûreté du Québec	149,621,175.00	117,803,150.00
PROGRAM 3		
Agencies Reporting to the Minister	7,955,350.00	
	<hr/>	<hr/>
	296,261,250.00	123,289,950.00

TOURISME

	First portion	Additional portion
PROGRAM 1		
Promotion and Development of Tourism	34,653,275.00	2,471,250.00
	<hr/>	<hr/>
	34,653,275.00	2,471,250.00

TRANSPORTS

	First portion	Additional portion
PROGRAM 1		
Infrastructures and Transportation Systems	190,874,725.00	10,160,750.00
PROGRAM 2		
Administration and Corporate Services	22,920,050.00	
PROGRAM 3		
Promotion and Development of the Capitale-Nationale	15,645,900.00	6,112,600.00
	<u>229,440,675.00</u>	<u>16,273,350.00</u>

TRAVAIL

	First portion	Additional portion
PROGRAM 1		
Labour	7,659,650.00	
	<hr/>	
	7,659,650.00	

Regulations and other Acts

Gouvernement du Québec

O.C. 244-2011, 23 March 2011

Cultural Property Act
(R.S.Q., c. B4)

Carignan historic district — Revocation

Revocation of the Order in Council declaring the Carignan historic district

WHEREAS, under section 45 of the Cultural Property Act (R.S.Q., c. B-4), the Gouvernement du Québec may, on the recommendation of the Minister of Culture, Communications and the Status of Women, who is to obtain the advice of the Commission des biens culturels, declare a territory to be a historic district because of the concentration of monuments or historic sites found there;

WHEREAS the Carignan historic district was declared by the Gouvernement du Québec, on the recommendation of the Commission des monuments historiques, by Order in Council No. 1075 dated 3 June 1964;

WHEREAS the Carignan historic district is an artificial place based on a project to reconstitute a French-Canadian historic village created in 1961 and closed in 1967;

WHEREAS the Carignan historic district has never been appropriated by citizens and local institutions;

WHEREAS the heritage value of the Carignan historic district, which lies essentially on how it represents an ancient method of preserving heritage and on the architectural interest of its historic monuments, is low compared to the heritage value of other historic districts, which lies, among other things, on their historic, symbolic, architectural, landscape and archaeological interest;

WHEREAS maison Louis-Degneau and maison de Saint-Hubert situated in the territory of the Carignan historic district are classified historic monuments, each having its protected area;

WHEREAS, in accordance with section 45 of the Cultural Property Act, the Minister of Culture, Communications and the Status of Women obtained the advice of the Commission des biens culturels on 27 September 2008;

WHEREAS, in accordance with section 45.1 of the Cultural Property Act, the Minister of Culture, Communications and the Status of Women obtained the advice of the Commission de protection du territoire agricole on 17 December 2008;

WHEREAS, in accordance with section 46 of the Cultural Property Act, notice of the recommendation of the Minister of Culture, Communications and the Status of Women was published in the *Gazette officielle du Québec* of 15 September 2010 and in a newspaper circulated in the territory concerned on 6 November 2010 with the statement that, at the expiry of at least 30 days from that publication, the recommendation will be submitted to the Government;

IT IS ORDERED, therefore, on the recommendation of the Minister of Culture, Communications and the Status of Women:

THAT Order in Council No. 1075 dated 3 June 1964 declaring the Carignan historic district be revoked.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

1362

Gouvernement du Québec

O.C. 246-2011, 23 March 2011

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

Réserve écologique de la Tourbière-de-Shannon — Establishment

Establishment of the Réserve écologique de la Tourbière-de-Shannon

WHEREAS, under section 43 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), the Minister of Sustainable Development, Environment and Parks may recommend to the Government that permanent ecological reserve status be assigned to all or part of land set aside for that purpose and that the applicable conservation plan be approved;

WHEREAS, in accordance with sections 29 and 38 of the Act, with a view to consulting the public after the setting aside of part of the land of the Tourbière-de-Shannon as a proposed ecological reserve, a notice was published in the

Journal de Québec and the Chronicle-Telegraph and also in Part 2 of the *Gazette officielle du Québec* of 15 April 2009 stating that the area could be assigned permanent protection status as an ecological reserve on the expiry of 60 days following that publication;

WHEREAS the boundaries of the proposed ecological reserve have been slightly enlarged so as to include an adjacent parcel of land acquired by the Minister of Sustainable Development, Environment and Parks on behalf of the Government within the scope of compensatory measures and therefore improve the protection assigned to the peat bog;

WHEREAS no comment has been made in connection with the public consultation process provided for by law;

WHEREAS the proposed land forms part of the domain of the State and a small part of it is included in an agricultural zone established within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);

WHEREAS, in accordance with paragraph 2 of section 44 of the Natural Heritage Conservation Act, the opinion of the Commission de protection du territoire agricole du Québec was required and that opinion states that the creation of the Réserve écologique de la Tourbière-de-Shannon has no negative impact on the land and agricultural activities;

WHEREAS Municipalité régionale de comté de La Jacques-Cartier has certified that the proposed ecological reserve is consistent with the directions and objectives of its land use planning;

WHEREAS the Commission de toponymie has approved the use of the name “Réserve écologique de la Tourbière-de-Shannon”;

WHEREAS, for the purpose of ensuring the integral conservation of a representative sample of an ombrotrophic bog developed on deltaic deposits, in an excellent state of preservation, it is expedient to assign permanent ecological reserve status to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve écologique de la Tourbière-de-Shannon” and to approve the proposed conservation plan for the ecological reserve;

WHEREAS section 45 of the Natural Heritage Conservation Act provides that permanent protection status for land and the applicable conservation plan take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT permanent ecological reserve status be assigned to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve écologique de la Tourbière-de-Shannon”;

THAT the proposed conservation plan for the area, the text of which is attached to this Order in Council, be approved;

THAT the ecological reserve status and the conservation plan of the reserve come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Protected areas
in Québec:



A Lifelong Heritage

**Réserve
écologique de la
Tourbière-de-Shannon**



CONSERVATION
PLAN

Bibliographic Reference:

Gouvernement of Québec, Ministère du Développement durable, de l'Environnement et des Parcs, Direction du patrimoine écologique et des parcs. Réserve écologique de la Tourbière-de-Shannon, Conservation Plan. 2010. 7 p.

1. Official toponym

Official toponym: Réserve écologique de la Tourbière-de-Shannon. This toponym refers to the name of the bog protected by the ecological reserve.

2. Description of the territory

The Réserve écologique de la Tourbière-de-Shannon is located in the territory of Municipalité de Shannon, Municipalité régionale de comté (MRC) de la Jacques-Cartier, in the Capitale-Nationale administrative region (region 03), approximately 30 km northwest of Ville de Québec. The Tourbière de Shannon covers an area of approximately 250 hectares at an altitude of 180 metres, on the northern flanks of the Jacques-Cartier river. The ecological reserve will allow the major part of the Tourbière de Shannon's ecosystem to be integrally preserved. The area of the Réserve écologique de la Tourbière-de-Shannon is 168.77 hectares. The map of the ecological reserve, prepared by land surveyor Bertrand Bussiére, is shown at the end of this document.

The Tourbière de Shannon is mainly ombrotrophic (Buteau, 1989). This type of bog has a convex shape and is characterized by an acid pH between 3.5 and 4.6 and a water and mineral intake that comes solely from precipitation (Gorham & Janssens, 1992). The sphagnum contributes heavily to the acidity of the environment (Clymo, 1964). The seasonal recovery profile of this type of bog is strictly a function of precipitation, except for the summertime when evapotranspiration is significant, and in winter, when the surface of the bog is frozen (Bastien, 2007). A lag¹ exists on the periphery of the bog and acts as a junction with the surrounding mineral soil. The water intake, after having run through the adjacent mineral soil, flows towards the margin of the bog and enriches it with available minerals. The lag is characterized by the simultaneous presence of minerotrophic, facultative or even ombrotrophic species.

The ecological reserve is located within the natural province of the Southern Laurentians in the Saint-Joseph Lake Low Hills ecological district. The territory is within the sugar maple-basswood bioclimatic domain. It is characterized by a subpolar and continental climate, subhumid annual precipitation and a long growing season.

The basement rocks below the Tourbière de Shannon is principally composed of gneiss and paragneiss (gneiss whose origin is sedimentary rock) (Grondin P., Leboeuf P., Noël J., Hotte D., 2003).

An administrative document of the Ministère du Développement durable, de l'Environnement et des Parcs entitled Portrait of territory groups the ecological information concerning the Réserve écologique de la Tourbière-de-Shannon and is updated according to the state of knowledge of the territory.

3. Protection status

The ecological reserve will assure the complete, permanent protection of a large part of the Tourbière de Shannon.

4. Activities framework

Activities carried on within the Réserve écologique de la Tourbière-de-Shannon are governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01) and include in particular scientific research and educational or management activities. Those activities will be subject to the written authorization of the Minister of Sustainable Development, Environment and Parks.

This conservation plan does not prohibit activities in addition to the activities already prohibited in ecological reserves under the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

Since the protection status assigned is comprehensive, no other conservation measure is planned for this protected area. As the conservation objectives are the same as for the entire area, the ecological reserve constitutes a single zone.

4.1. Prohibited activities

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which ecological reserve status has been assigned are

- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- mining, and gas or petroleum development;
- mining, gas, and petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring;
- the development of hydraulic resources and any production of energy on a commercial or industrial basis;

¹ Lag: the depressed and minerotrophic margin of a raised bog.

— hunting, trapping, fishing, earthwork and construction work, agricultural, industrial, or commercial activities and, generally, any activity likely to alter the state or nature of ecosystems.

No person may be in an ecological reserve, except for an inspection or for the carrying on of an activity authorized under the Act. The Minister of Sustainable Development, Environment and Parks may, however, give written authorization on the conditions the Minister determines for any activity consistent with the purposes of an ecological reserve or with its management.

4.2. Activities governed by other statutes

Scientific research and educational or management activities carried on within the Réserve écologique de la Tourbière-de-Shannon are also governed by other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees.

A special legal framework may govern permitted activities within the ecological reserve in connection with the following matters:

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;

— Species of flora designated as threatened or vulnerable: measures prohibiting the removal of such species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Development and conservation of wildlife resources: measures set out in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and its regulations;

— Access and land rights related to the domain of the State: measures set out in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the Watercourses Act (R.S.Q., c. R-13);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the Natural Heritage Conservation Act, and is therefore responsible for management of the ecological reserves established under that Act and has authority over these lands, which form part of the domain of the State. The Minister supervises and monitors the measures in the Act as they relate to activities permitted in protected areas. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife and Municipalité de Shannon. In the exercise of their powers and functions, the Ministers and the municipality will take into consideration the protection sought for these natural environments and the protection status that has been granted.

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF QUÉBEC

TECHNICAL DESCRIPTION

LOT(S): PART OF LOTS 395 TO 407, 409 TO 411,
424 TO 435 AND 430-5

MUNICIPALITY: SHANNON

MUNICIPALITÉ RÉGIONALE DE COMTÉ:
LA JACQUES-CARTIER

ADMINISTRATIVE REGION:
CAPITALE-NATIONALE

REGISTRATION DIVISION: PORTNEUF

CADASTRE: PAROISSE DE SAINTE-CATHERINE

**For: Ministère du Développement durable,
de l'Environnement et des Parcs**

**Purpose: Réserve écologique de
la Tourbière-de-Shannon**

**File: Direction du patrimoine écologique
et des parcs: 5143-03-03 (3.25)**

A territory comprising 29 parcels of land known and designated as follows:

Lot 395 part

Part of lot three hundred and ninety-five (lot 395 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 436, measuring along that limit ten metres and eighty-one hundredths (10.81); northeasterly, by part of lot 396, measuring along that limit two hundred and twelve metres and eleven hundredths (212.11); southeasterly, by part of lot 856 (abandoned railroad), measuring along that limit thirty-seven metres and forty hundredths (37.40) and southwesterly, by part of lot 395, measuring successively along that limit one hundred and thirty-four metres and eighty-one hundredths (134.81) and eighty-eight metres and eight hundredths (88.08).

AREA: 5,279.3 square metres
(0.528 hectares)

Lot 396 part

Part of lot three hundred and ninety-six (lot 396 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 436 and part of lot 435, measuring along that limit eighty-seven metres and sixty-three hundredths (87.63); northeasterly, by part of lot 397, measuring along that limit one hundred and eighty-eight metres and ten hundredths (188.10); southeasterly, by part of lot 856 (abandoned railroad), measuring along that limit ninety metres and twenty-four hundredths (90.24) and southwesterly, by part of lot 395, measuring along that limit two hundred and twelve metres and eleven hundredths (212.11).

AREA: 1.753 hectares

Lot 397 part

Part of lot three hundred and ninety-seven (lot 397 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 435 and 434, measuring along that limit one hundred and seventy-eight metres and seventeen hundredths (178.17); northeasterly, by part of lot 398, measuring along that limit one hundred and forty-six metres and sixty hundredths (146.60); southeasterly, by part of lot 856 (abandoned railroad), measuring successively along that limit seventy-two metres and fifty-eight hundredths (72.58), along the arc of a circle with a radius of 369.96 and one hundred and nine metres and sixty-one hundredths (109.61) and

southwesterly, by part of lot 396, measuring along that limit one hundred and eighty-eight metres and ten hundredths (188.10).

AREA: 2.933 hectares

Lot 398 part

Part of lot three hundred and ninety-eight (lot 398 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 434, measuring along that limit eighty-seven metres and seventy-nine hundredths (87.79); northeasterly, part of lot 399, measuring along that limit one hundred and fifty metres and sixty-six hundredths (150.66); southeasterly, by part of lot 856 (abandoned railroad), measuring along that limit eighty-eight metres and twenty hundredths (88.20), along the arc of a circle with a radius of 369.96 metres and southwesterly, by part of lot 397, measuring along that limit one hundred and forty-six metres and sixty hundredths (146.60).

AREA: 1.289 hectares

Lot 399 part

Part of lot three hundred and ninety-nine (lot 399 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 434 and 433, measuring along that limit eighty-seven metres and forty-nine hundredths (87.49); northeasterly, by part of lot 400, measuring along that limit one hundred and sixty-five metres and thirty hundredths (165.30); southeasterly, by part of lot 856 (abandoned railroad) measuring along that limit eighty-nine metres and nine hundredths (89.09) and southwesterly, by part of lot 398, measuring along that limit one hundred and fifty metres and sixty-six hundredths (150.66).

AREA: 1.382 hectares

Lot 400 part

Part of lot four hundred (lot 400 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 433 and 432, measuring along that limit one hundred and seventy-one metres and nine hundredths (171.09); northeasterly, part of lot 401, measuring along that limit one hundred and seventy-eight metres and ninety-four hundredths (178.94); southeasterly, by part of lot 400, measuring along that limit nine metres and

fourteen hundredths (9.14); northeasterly, part of lot 400, measuring along that limit thirteen metres and forty hundredths (13.40); southeasterly, by part of lot 856 (abandoned railroad), measuring along that limit one hundred and sixty-six metres and twenty-two hundredths (166.22) and southwesterly, by part of lot 399, measuring along that limit one hundred and sixty-five metres and thirty hundredths (165.30).

AREA: 3.071 hectares

Lot 401 part

Part of lot four hundred and one (lot 401 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 432 and 431, measuring along that limit one hundred and ninety metres (190.00); northeasterly, by part of lot 402, measuring along that limit two hundred and fifty-two metres and ten hundredths (252.10); southeasterly, by part of lot 856 (abandoned railroad), measuring successively along that limit one hundred and forty-five metres and sixty hundredths (145.60), along the arc of a circle with a radius of 467.26 metres and fifty-three metres and sixty-three hundredths (53.63) and southwesterly, part of lot 400, measuring along that limit one hundred and ninety-four metres and eighteen hundredths (194.18).

AREA: 4.111 hectares

Lot 402 part

Part of lot four hundred and two (lot 402 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 431, measuring along that limit sixty-one metres and thirty-nine hundredths (61.39); northeasterly, by part of lot 403, measuring along that limit two hundred and ninety-one metres and ninety-nine hundredths (291.99); southerly, by part of lot 856 (abandoned railroad), measuring along that limit seventy-three metres and sixty-two hundredths (73.62), along the arc of a circle with a radius of 467.26 metres and southwesterly, by part of lot 401, measuring along that limit two hundred and fifty-two metres and ten hundredths (252.10).

AREA: 1.663 hectares

Lot 403 part

Part of lot four hundred and three (lot 403 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon,

of irregular shape, bounded and described as follows: northwesterly, by part of lots 431 and 430, measuring along that limit one hundred and sixteen metres and ninety-five hundredths (116.95); northeasterly, by part of lot 404, measuring along that limit four hundred and eighteen metres and thirty hundredths (418.30); southerly, by part of lot 856 (abandoned railroad), measuring successively along that limit fifty-five metres and ninety-six hundredths (55.96) and one hundred and seventeen metres and sixty-four hundredths (117.64), along the arc of a circle with a radius of 467.26 metres and southwesterly, by part of lot 402, measuring along that limit two hundred and ninety-one metres and ninety-nine hundredths (291.99).

AREA: 4.083 hectares

Lot 404 part

Part of lot four hundred and four (lot 404 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 430 and 429, measuring along that limit one hundred and ninety metres and four hundredths (190.04); northeasterly, by part of lot 405, measuring along that limit six hundred and sixty-two metres and seventy-four hundredths (662.74); southerly, by part of lot 856 (abandoned railroad), measuring along that limit three hundred and eleven metres and eleven hundredths (311.11) and southwesterly, by part of lot 403, measuring along that limit four hundred and eighteen metres and thirty hundredths (418.30).

AREA: 10.271 hectares

Lot 405 part

Part of lot four hundred and five (lot 405 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 429 and 428, measuring along that limit two hundred and seventy metres and seventy-nine hundredths (270.79); northeasterly, by part of lot 406, measuring successively along that limit nine hundred and twenty-three metres and eighty-eight hundredths (923.88) and thirty-one metres and fourteen hundredths (31.14); southerly, by part of lot 856 (abandoned railroad), measuring along that limit three hundred and seventy-one metres and twenty-six hundredths (371.26) and southwesterly, by part of lot 404, measuring along that limit six hundred and sixty-two metres and seventy-four hundredths (662.74).

AREA: 20.422 hectares

Lot 406 part

Part of lot four hundred and six (lot 406 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 428, 427 and 426, measuring along that limit one hundred and seventy-five metres and forty-two hundredths (175.42); northeasterly, by part of lot 407, measuring along that limit one thousand thirteen metres and ninety-five hundredths (1,013.95); easterly, by part of lot 406, measuring along that limit sixty-five metres and seventy-four hundredths (65.74); southerly, by part of lot 406, measuring along that limit one hundred and seventy-one metres and twenty-seven hundredths (171.27) and southwesterly, by part of lot 405, measuring along that limit nine hundred and twenty-three metres and eighty-eight hundredths (923.88).

AREA: 16.717 hectares

Lot 407 part

Part of lot four hundred and seven (lot 407 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 426 and 425, measuring along that limit one hundred and seventy-five metres and forty-two hundredths (175.42); northeasterly, by part of lot 409, measuring along that limit nine hundred and five metres and forty-four hundredths (905.44); southeasterly, by part of lot 407, measuring along that limit forty-eight metres and seventy-four hundredths (48.74); easterly, by part of lot 407, measuring along that limit one hundred and seventy-nine metres and one hundredth (179.01) and southwesterly, by part of lot 406, measuring along that limit one thousand thirteen metres and ninety-five hundredths (1,013.95).

AREA: 16.227 hectares

Lot 409 part

Part of lot four hundred and nine (lot 409 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 425 and 424, measuring along that limit one hundred and seventy-five metres and forty-two hundredths (175.42); northeasterly, by part of lot 410, measuring along that limit nine hundred and fourteen metres and fifty-five hundredths (914.55); easterly, by part of lot 763 (Chemin de Gosford), measuring along that limit forty-five metres and ninety-one

hundredths (45.91); southeasterly, by part of lot 409, measuring along that limit one hundred and forty-seven metres and thirty-eight hundredths (147.38) and southwesterly, by part of lot 407, measuring along that limit nine hundred and five metres and forty-four hundredths (905.44).

AREA: 16.154 hectares

Lot 410 part

Part of lot four hundred and ten (lot 410 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lots 424 and 422, measuring along that limit one hundred and seventy-five metres and forty-one hundredths (175.41); northeasterly, by lots 411-27, 411-1, 411-28, 411-10, 411-25, 411 part and 411-9, measuring successively along that limit sixty metres and ninety-five hundredths (60.95), forty-three metres and fifty-nine hundredths (43.59), forty-three metres and ninety-five hundredths (43.95), thirty metres and eighty-one hundredths (30.81), thirty metres and seventy-nine hundredths (30.79), thirty metres and eighty-two hundredths (30.82) and forty-one metres and seventy-six hundredths (41.76); southeasterly, by part of lot 411, measuring along that limit twenty-one metres and forty-two hundredths (21.42); northeasterly, by part of lots 411 and 410, measuring successively along that limit thirty metres and fifty hundredths (30.50) and one hundred and fifty-two metres and fifty hundredths (152.50); northwesterly, by part of lot 410, measuring along that limit thirty-one metres and eighty-seven hundredths (31.87); northeasterly, by part of lot 411, measuring along that limit one hundred and forty-three metres and thirty-one hundredths (143.31); easterly, by part of lot 763 (Chemin de Gosford), measuring successively along that limit twenty-three metres and two hundredths (23.02), fifty-eight metres and twenty-three hundredths (58.23), two hundred and twenty-eight metres and fourteen hundredths (228.14), along the arc of a circle with a radius of 680.88 metres and sixty metres and fifty-two hundredths (60.52) and southwesterly, by part of lot 409, measuring along that limit nine hundred and fourteen metres and fifty-five hundredths (914.55).

AREA: 14.019 hectares

Lot 411 part

Part of lot four hundred and eleven (lot 411 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 411, measuring along that limit

forty-five metres and ninety-four hundredths (45.94); northeasterly and easterly, by part of lot 763 (Chemin de Gosford), measuring successively along that limit ninety-one metres and seventeen hundredths (91.17), twenty-seven metres and two hundredths (27.02) and twenty-two metres and ninety hundredths (22.90) and southwesterly, by part of lot 410, measuring along that limit one hundred and forty-three metres and thirty-one hundredths (143.31).

AREA: 3,465.1 square metres
(0.347 hectares)

Lot 424 part

Lot four hundred and twenty-four (lot 424 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 424, measuring along that limit one hundred and seventy-five metres and forty-two hundredths (175.42); northeasterly, by part of lot 422, measuring along that limit one hundred and seventy-two metres and seventy-one hundredths (172.71); southeasterly, by part of lots 410 and 409, measuring along that limit one hundred and seventy-five metres and forty-two hundredths (175.42) and southwesterly, by part of lot 425, measuring along that limit one hundred and seventy-two metres and seventy-one hundredths (172.71).

AREA: 3.030 hectares

Lot 425 part

Part of lot four hundred and twenty-five (lot 425 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by Chemin de Wexford (shown on the original), measuring successively along that limit sixty-six metres and four hundredths (66.04), fifty-eight metres and seventy-two hundredths (58.72) and sixty metres and thirty-two hundredths (60.32), along the arc of a circle with a radius of 549.24 metres; northeasterly, by part of lot 424, measuring along that limit three hundred and fifty-nine metres and forty-two hundredths (359.42); southeasterly, by part of lots 409 and 407, measuring along that limit one hundred and seventy-five metres and forty-one hundredths (175.41) and southwesterly, by part of lot 426, measuring along that limit three hundred and eighty-five metres and sixty-two hundredths (385.62).

AREA: 6.700 hectares

Lot 426 part

Part of lot four hundred and twenty-six (lot 426 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 426, measuring along that limit one hundred and seventy-eight metres and fifty-eight hundredths (178.58); northeasterly, by part of lot 425, measuring along that limit two hundred and fifty metres and eight hundredths (250.08); southeasterly, by part of lots 407 and 406, measuring along that limit one hundred and seventy-five metres and sixty-seven hundredths (175.67) and southwesterly, by part of lot 427, measuring along that limit two hundred and fifty metres and eighteen hundredths (250.18).

AREA: 4.427 hectares

Lot 427 part

Part of lot four hundred and twenty-seven (lot 427 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 427, measuring along that limit one hundred and seventy metres and thirty-two hundredths (170.32); northeasterly, by part of lot 426, measuring along that limit two hundred and fifty metres and eighteen hundredths (250.18); southeasterly, by part of lot 406, measuring along that limit one hundred and seventy-three metres and four hundredths (173.04) and southwesterly, by part of lot 428, measuring along that limit two hundred and fifty metres and nine hundredths (250.09).

AREA: 4.292 hectares

Lot 428 part

Part of lot four hundred and twenty-eight (lot 428 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 428, measuring along that limit one hundred and ninety metres and fourteen hundredths (190.14); northeasterly, by part of lot 427, measuring along that limit two hundred and fifty metres and nine hundredths (250.09); southeasterly, by part of lots 406 and 405, measuring along that limit one hundred and ninety metres and twelve hundredths (190.12) and southwesterly, by part of lot 429, measuring along that limit two hundred and fifty metres and nine hundredths (250.09).

AREA: 4.753 hectares

Lot 429 part

Part of lot four hundred and twenty-nine (lot 429 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 429, measuring along that limit one hundred and seventy-five metres and sixty-one hundredths (175.61); northeasterly, by part of lot 428, measuring along that limit two hundred and fifty metres and nine hundredths (250.09); southeasterly, by part of lots 405 and 404, measuring along that limit one hundred and seventy-five metres and seventy-eight hundredths (175.78) and southwesterly, by part of lot 430, measuring along that limit two hundred and fifty metres and nine hundredths (250.09).

AREA: 4.392 hectares

Lot 430 part

Part of lot four hundred and thirty (lot 430 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 430, measuring along that limit one hundred and seven metres and twenty-seven hundredths (107.27); northeasterly, by part of lot 429, measuring along that limit two hundred and fifty metres and nine hundredths (250.09); southeasterly, by part of lots 404 and 403, measuring along that limit one hundred and seventy-five metres and forty-five hundredths (175.45); southwesterly, by part of lot 431, measuring along that limit one hundred and twenty-four metres and twenty-seven hundredths (124.27); northwesterly, by part of lot 430-5, measuring along that limit sixty-eight metres and fifteen hundredths (68.15) and southwesterly, by part of lot 430-5, measuring along that limit one hundred and twenty-four metres and four hundredths (124.04).

AREA: 3.535 hectares

Lot 430-5 part

Part of subdivision five of lot four hundred and thirty (lot 430-5 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 430-5, measuring along that limit sixty-eight metres and eighteen hundredths (68.18); northeasterly, by part of lot 430, measuring along that limit one hundred and twenty-four metres and four hundredths (124.04); southeasterly, by part of lot 430, measuring along that limit

sixty-eight metres and fifteen hundredths (68.15) and southwesterly, by part of lot 431, measuring along that limit one hundred and twenty-five metres and eighty-two hundredths (125.82).

AREA: 8,514.6 square metres
(0.851 hectares)

Lot 431 part

Part of lot four hundred and thirty one (lot 431 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 431, measuring along that limit one hundred and seventy-five metres and ten hundredths (175.10); northeasterly, by part of lots 430-5 and 430, measuring along that limit two hundred and fifty metres and nine hundredths (250.09); southeasterly, by part of lots 403, 402 and 401, measuring along that limit one hundred and seventy-three metres and ninety-one hundredths (173.91) and southwesterly, by part of lot 432, measuring along that limit two hundred and fifty metres and twelve hundredths (250.12).

AREA: 4.363 hectares

Lot 432 part

Part of lot four hundred and thirty-two (lot 432 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 432, measuring successively along that limit sixty-six metres and seventy-eight hundredths (66.78) and one hundred and four metres and sixty-two hundredths (104.62); northeasterly, by part of lot 431, measuring along that limit two hundred and fifty metres and twelve hundredths (250.12); southeasterly, by part of lots 401 and 400, measuring successively along that limit one hundred and fourteen metres and fifty-six hundredths (114.56) and fifty-six metres and eighty-four hundredths (56.84) and southwesterly, by part of lot 433, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30).

AREA: 4.285 hectares

Lot 433 part

Part of lot four hundred and thirty-three (lot 433 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 433, measuring along that limit one hundred and seventy-five metres

and sixty-two hundredths (175.62); northeasterly, by part of lot 432, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30); south-easterly, by part of lots 400 and 399, measuring along that limit one hundred and seventy-five metres and sixty-two hundredths (175.62) and southwesterly, by part of lot 434, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30).

AREA: 4.391 hectares

Lot 434 part

Part of lot four hundred and thirty-four (lot 434 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 434, measuring along that limit one hundred and seventy-five metres and sixty-two hundredths (175.62); northeasterly, by part of lot 433, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30); south-easterly, by part of lots 399, 398 and 397, measuring along that limit one hundred and seventy-five metres and sixty-two hundredths (175.62) and southwesterly, by part of lot 435, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30).

AREA: 4.390 hectares

Lot 435 part

Part of lot four hundred and thirty-five (lot 435 part), of the cadastre of Paroisse de Sainte-Catherine, of the registration division of Portneuf, of Municipalité de Shannon, of irregular shape, bounded and described as follows: northwesterly, by part of lot 435, measuring along that limit one hundred and seventy-five metres and sixty-two hundredths (175.62); northeasterly, by part of lot 434, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30); south-easterly, by part of lots 397 and 396, measuring along that limit one hundred and seventy-five metres and sixty-two hundredths (175.62) and southwesterly, by part of lot 436, measuring along that limit two hundred and fifty metres and thirty hundredths (250.30).

AREA: 4.390 hectares

The total area of the ecological reserve is 168.77 hectares (1.69 km²).

The whole as shown on the plan attached hereto, prepared at Québec, on 12 March 2009, by the undersigned land surveyor, under No. 1455 of his minutes.

File: 47-395

Minute: 1455

VAILLANCOURT ROBITAILLE
SAVOIE BÉDARD ET ASSOCIÉS

BERTRAND BUSSIÈRE,
Land Surveyor

True copy of the original

Québec, 7 April 2009

By: _____
BERTRAND BUSSIÈRE,
Land Surveyor

Gouvernement du Québec

O.C. 264-2011, 23 March 2011

Courts of Justice Act
(R.S.Q., c. T-16)

Pension plans of judges of the municipal courts — Rates of contribution of the municipalities to whom the pension plans provided for in Parts V.1 and VI of the Act apply

Rates of contribution of the municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act in respect of judges of the municipal courts to whom the pension plans apply

WHEREAS, under the third paragraph of section 246.26 of the Courts of Justice Act (R.S.Q., c. T-16), the cost of the pension plans provided for in Parts V.1 and VI of the Act is, in respect of judges of the municipal courts to whom the pension plans apply, except contributions paid by those judges to the pension plan provided for in Part V.1 and contributions paid by those judges for the years 1979 to 1989 to the equivalent pension plan in force in the municipality, borne by each municipality, respectively;

WHEREAS the rates of contribution of the municipalities to the pension plans were set on 1 January 2008 by Order in Council 644-2009 dated 4 June 2009;

WHEREAS, under the first paragraph of section 246.26 of the Courts of Justice Act, at least once every three years, the Commission administrative des régimes de retraite et d'assurances causes an actuarial valuation of the pension plans provided for in Parts V.1 and VI of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS, in January 2010, the Commission administrative des régimes de retraite et d'assurances sent to the Minister of Justice the last actuarial valuation of those pension plans;

WHEREAS, under the first paragraph of section 246.26.1 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of the municipalities to the pension plans provided for in Parts V.1 and VI of the Act and the rates are based on each plan's experience obtained at the time of the last actuarial valuation;

WHEREAS, pursuant to the first paragraph of section 246.26.1 of the Courts of Justice Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of the municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act;

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

THAT the rate of contribution of the municipalities to the pension plan provided for in Part V.1 of the Courts of Justice Act, in respect of judges of the municipal courts to whom the pension plan applies, be set at the amount by which 10.38% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay, exceeds the rate of contribution paid by the judge;

THAT the rate of contribution of the municipalities to the pension plan provided for in Part VI of the Courts of Justice Act, in respect of judges of the municipal courts to whom the pension plan applies, be set at 9.13% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay;

THAT this Order in Council have effect from 1 January 2011.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 265-2011, 23 March 2011

Courts of Justice Act
(R.S.Q., c. T-16)

Pensions Plans — Rates of contribution of the municipalities to the supplementary benefits plans in respect of the judges of the municipal courts to whom the pension plan provided for in Part V.1 or VI of the Act

Rates of contribution of the municipalities to the supplementary benefits plans in respect of the judges of the municipal courts to whom the pension plan provided for in Part V.1 or VI of the Courts of Justice Act applies

WHEREAS, under the second paragraph of section 122.3 of the Courts of Justice Act (R.S.Q., c. T-16), the cost of the supplementary benefits plans established by the Government under the second paragraph of section 122 of the Act is, in respect of the judges of the municipal courts to whom the pension plan provided for in Part V.1 or Part VI of the Act applies, borne by each municipality, respectively;

WHEREAS the rates of contribution of the municipalities to those supplementary benefits plans were set on 1 January 2008 by Order in Council 645-2009 dated 4 June 2009;

WHEREAS, under the first paragraph of section 122.3 of the Courts of Justice Act, at least once every three years, the Commission administrative des régimes de retraite et d'assurances causes an actuarial valuation of the supplementary benefits plans established under the second paragraph of section 122 of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS, in January 2010, the Commission administrative des régimes de retraite et d'assurances sent to the Minister of Justice the last actuarial valuation of those supplementary benefits plans;

WHEREAS, under the third paragraph of section 122.3 of the Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of the municipalities to the plans, which are based on the result of the last actuarial valuation of the plans;

WHEREAS, pursuant to the third paragraph of section 122.3 of the Act, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of the municipalities to the supplementary benefits plans;

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

THAT the rate of contribution of the municipalities to the supplementary benefits plan, in respect of the judges of the municipal courts to whom the pension plan provided for in Part V.1 of the Courts of Justice Act applies, be set at the amount by which 27.96% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay, exceeds the rate of contribution of the

municipality and the rate of contribution paid by the judge to the pension plan provided for in Part V.1 of the Act and any rate of contribution paid by the judge to the judge's supplementary benefits plan;

THAT the rate of contribution of the municipalities to the supplementary benefits plan, in respect of the judges of the municipal courts to whom the pension plan provided for in Part VI of the Courts of Justice Act applies, be set at 14.8% of the annual salary, including any additional remuneration, paid to the judge or that would have been paid to the judge if the judge had not been granted leave without pay or leave with deferred pay;

THAT this Order in Council have effect from 1 January 2011.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

1365

Gouvernement du Québec

O.C. 266-2011, 23 mars 2011

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

Nursing assistants — Certain professional activities which may be engaged — Amendment

Regulation to amend the Regulation respecting certain professional activities which may be engaged in by nursing assistants

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

WHEREAS, in accordance with paragraph *h* of section 94 of the Professional Code, the Ordre des infirmières et infirmiers du Québec consulted the Collège des médecins du Québec and the Ordre des infirmières et infirmiers auxiliaires du Québec before making the Regulation to amend the Regulation respecting certain professional activities which may be engaged in by nursing assistants;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the professional activities which may be performed by a nursing assistant was published in Part 2 of the *Gazette officielle du Québec* of 3 November 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting certain professional activities which may be engaged in by nursing assistants, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certain professional activities which may be engaged in by nursing assistants*

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

1. The Regulation respecting certain professional activities which may be engaged in by nursing assistants is amended by replacing, in the second paragraph of section 9, “2011” by “2013”.

* The Regulation respecting certain professional activities which may be engaged in by nursing assistants, approved by Order in Council 418-2008 dated 30 April 2008 (2008, *G.O.* 2, 1318), has not been amended since its approbation.

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

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Gouvernement du Québec

O.C. 267-2011, 23 March 2011

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

Diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist’s certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the required consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 17 November 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the opinion of the Office and of the Barreau du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended in section 1.03 by replacing paragraphs *b*, *c* and *d* by the following:

“(b) Baccalauréat en droit from the Université de Montréal;

(c) Baccalauréat en droit from the Université de Sherbrooke;

(d) Baccalauréat en droit from the Université du Québec à Montréal.”.

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

2. Paragraphs *b*, *c* and *d* of section 1.03 of that Regulation, replaced by section 1 of this Regulation, remain applicable to persons who, on 21 April 2011, hold a diploma referred to therein or are registered in a program enabling them to obtain one of those diplomas.

3. 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. 268-2011, 23 March 2011

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

Diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, before advising the Government, the Office must consult, in particular, with the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 3 November 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des technologues en imagerie médicale et en radio-oncologie du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended in the first paragraph of section 2.05

(1) by striking out “, Sherbrooke”;

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010

(2) by adding “and at Collège Laflèche” after “Dawson general and vocational colleges”.

2. 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. 280-2011, 23 March 2011

An Act respecting prescription drug insurance
(R.S.Q., c. A-29.01)

Pharmacists — Benefits authorized — Amendment

Regulation to amend the Regulation respecting benefits authorized for pharmacists

WHEREAS, under section 78 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), the Government may, after consulting the Régie de l'assurance maladie du Québec and in addition to the regulatory powers otherwise conferred on it by the Act, make regulations on the matters listed therein;

WHEREAS, under the third paragraph of section 22 of the Act respecting prescription drug insurance, if, after an investigation, the Board believes that a pharmacist has received rebates, gratuities or other benefits not authorized by regulation for pharmaceutical services or medications and the pharmacist is claiming payment for those services or medications or has received payment for them in the preceding 36 months, the Board may deduct an amount corresponding to the value of the rebates, gratuities or other benefits from the payment for those pharmaceutical services or medications or obtain the reimbursement of that amount by way of compensation or otherwise, as the case may be;

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 benefits authorized for pharmacists was published in Part 2 of the *Gazette officielle du Québec* of 22 December 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 78 of the Act respecting prescription drug insurance, the Régie de l'assurance maladie du Québec has been consulted on the draft Regulation;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting benefits authorized for pharmacists, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting benefits authorized for pharmacists*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01)

1. The third paragraph of section 2 of the Regulation respecting benefits authorized for pharmacists is amended by replacing, as of 21 April 2011, “20%” by “16.5%” and, as of 1 April 2012, “16.5%” by “15%”.

2. This Regulation comes into force on 21 April 2011.

1369

Gouvernement du Québec

O.C. 283-2011, 23 March 2011

An Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001)

Toll road infrastructures operated under a public-private partnership agreement

Regulation respecting toll road infrastructures operated under a public-private partnership agreement

WHEREAS, under the first paragraph of section 11 of the Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001), the Government may, by regulation, in respect of road infrastructure operated under a partnership agreement, establish standards concerning the establishment of the tolls, fees and interest rates, the

nature, components, construction and mode of operation of toll devices, the nature, quality and use of devices or equipment used to identify a vehicle at a toll station, the registration and distribution of transponders, the verification or certification, by a designated body, of toll devices or devices or equipment used to identify a road vehicle at a toll station;

WHEREAS, under the second paragraph of section 11 of the Act, the Government may, by regulation, exempt any road vehicle or class of road vehicle from the payment of a toll;

WHEREAS, under subparagraph 2 of the second paragraph of section 19 of the Act, the Government sets the additional fees payable to obtain a photograph showing the road vehicle’s registration plate and indicating the place, date and time the passage was recorded;

WHEREAS, under the first paragraph of section 20 of the Act, the Government determines the conditions to be met by the partner’s employees so that the Minister may designate them as a person to be entrusted with the enforcement of this Act for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (R.S.Q., c. C-25.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement was published in Part 2 of the *Gazette officielle du Québec* of 29 December 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 amendment;

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

THAT the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

* The Regulation respecting benefits authorized for pharmacists was made by Order In Council 898-2007 dated 17 October 2007 (2007, G.O. 2, 2833A).

Regulation respecting toll road infrastructures operated under a public-private partnership agreement

An Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001, s. 11, s. 19, 2nd par., subpar. 2, and s. 20, 1st par.)

DIVISION 1 PRELIMINARY

1. This Regulation governs the following toll road infrastructures that are operated under a public-private partnership agreement entered into in accordance with the Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001):

(1) bridge P-15020 on autoroute 25 crossing the rivière des Prairies;

(2) bridge P-10942 on autoroute 30 crossing the St. Lawrence River.

2. In this Regulation, the expression “road vehicle” includes road vehicles and combinations of road vehicles within the meaning of the Highway Safety Code (R.S.Q., c. C-24.2).

DIVISION 2 ROAD VEHICLES EXEMPTED FROM PAYMENT OF A TOLL

3. Where a transponder registered for a road vehicle is in the vehicle and is functioning, the following road vehicles are exempted from payment of the toll for their passages on bridge P-15020 on autoroute 25:

(1) road vehicles used for transport services adapted for the needs of handicapped or mobility-impaired persons and buses, where those vehicles are operated by or on behalf of

(a) the Agence métropolitaine de transport established under the Act respecting the Agence métropolitaine de transport (R.S.Q., c. A-7.02);

(b) a public transit authority established under the Act respecting public transit authorities (R.S.Q., c. S-30.01);

(c) an intermunicipal board of transport established under sections 2 and 8 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., c. C-60.1);

(d) a regional public transport board established under sections 18.6 and 18.13 of the Act respecting intermunicipal boards of transport in the area of Montréal;

(e) an intermunicipal management board established under article 580 of the Municipal Code of Québec (R.S.Q., c. C-27.1) or section 468.11 of the Cities and Towns Act (R.S.Q., c. C-19), a local municipality or a group of municipalities, where they organize a public transit service under section 48.18 of the Transport Act (R.S.Q., c. T-12);

(2) emergency vehicles within the meaning of the Highway Safety Code;

(3) buses or minibuses used for the transportation of school children;

(4) taxis;

(5) road vehicles used on behalf of the partner responsible for the construction, repair and operation of bridge P-15020 under an agreement entered into in accordance with the Act respecting transport infrastructure partnerships.

4. Where a transponder registered for a road vehicle is in the vehicle and is functioning, the following road vehicles are exempted from payment of the toll for their passages on bridge P-10942 on autoroute 30:

(1) road vehicles used for transport services adapted for the needs of handicapped or mobility-impaired persons and buses, where those vehicles are operated by or on behalf of

(a) the Agence métropolitaine de transport established under the Act respecting the Agence métropolitaine de transport;

(b) a public transit authority established under the Act respecting public transit authorities;

(c) an intermunicipal board of transport established under sections 2 and 8 of the Act respecting intermunicipal boards of transport in the area of Montréal;

(d) a regional public transport board established under sections 18.6 and 18.13 of the Act respecting intermunicipal boards of transport in the area of Montréal;

(e) an intermunicipal management board established under article 580 of the Municipal Code of Québec or section 468.11 of the Cities and Towns Act, a local municipality or a group of municipalities, where they organize a public transit service under section 48.18 of the Transport Act;

(2) emergency vehicles within the meaning of the Highway Safety Code;

(3) buses or minibuses used for the transportation of school children;

(4) road vehicles used on behalf of the partner responsible for the construction, repair and operation of bridge P-10942 under an agreement entered into in accordance with the Act respecting transport infrastructure partnerships, where those vehicles are used for the purposes of that agreement;

(5) road vehicles belonging to the Ministère des Transports and used on its behalf, where those vehicles are used for the purposes of the agreement referred to in paragraph 4.

DIVISION 3

ESTABLISHMENT OF THE AMOUNT OF TOLLS, ADMINISTRATION FEES AND INTEREST RATES

5. The partner is to publish in the *Gazette officielle du Québec* its fee schedule, which must indicate

(1) the schedule for expected peak periods, if applicable;

(2) the amount of the toll per axle, based in particular on

(a) classes of road vehicles;

(b) subclasses of class A road vehicles, if applicable;

(c) peak and off-peak periods;

(d) the direction of travel;

(3) the amount of administration fees;

(4) the applicable interest rate.

The fee schedule comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* or on any later date determined therein.

§1. Establishment of the toll

6. For the purposes of determining the amount of the tolls, road vehicles are divided into the following classes:

“class A”: oversized vehicles within the meaning of section 462 of the Highway Safety Code;

“class B”: road vehicles not covered by class A and measuring less than 230 cm;

“class C”: road vehicles not covered by class A and measuring 230 cm or higher.

7. The number of a road vehicle’s axles is calculated in accordance with sections 16 to 18 and 52 of the Regulation respecting road vehicle registration (O.C. 1420-91, 91-10-16).

8. The amount of the toll corresponds to the product obtained by multiplying the number of a road vehicle’s axles by the toll rate per axle established for the vehicle’s class.

9. The partner may determine subclasses of road vehicles for class A road vehicles based on vehicle length, height and width, load per axle and total loaded mass.

The toll rate per axle for road vehicles in any subclass of class A is the same for all road vehicles in the same subclass.

10. The toll rate per axle for class B and C road vehicles is the same for all road vehicles in the same class.

Despite the first paragraph, the partner may offer a discount if

(1) it is applicable on the same conditions for all road vehicles in the same class;

(2) it is offered for any or all of the following reasons:

(a) the means by which the toll is collected;

(b) the date on which the account for the transponder is opened;

(c) the number of passages of the road vehicle on the toll infrastructure.

11. The toll rate per axle may not be lower than the minimum toll rate per axle or higher than the maximum toll rate per axle prescribed for each of the classes of road vehicles in the table below.

Class of road vehicle	Minimum toll rate per axle	Maximum toll rate per axle
A	\$0.30	\$80.00
B	\$0.30	\$4.00
C	\$0.30	\$8.00

It must be rounded to the nearest whole cent.

12. The partner may determine a peak period between 4:30 a.m. and 10:30 a.m. and another peak period between 2:30 p.m. and 8:30 p.m. for class B and C road vehicles. Those periods must have a duration of three consecutive hours.

The toll rate per axle for those periods must at all times be equal to or higher than the toll rate per axle established for off-peak periods.

Despite the first paragraph, the partner may not determine peak periods on Saturdays and legal holidays.

13. The toll rate per axle fixed for class C road vehicles is equal to or higher than the toll rate per axle determined for class B road vehicles and may not be higher than double the toll rate per axle for class B road vehicles.

§2. *Establishment of the administration fees*

14. The administration fees that a partner may establish comprise general fees, fees payable for the passage of a road vehicle on a toll road infrastructure and fees payable for enforcing payment of the toll and the administration fees.

Such administration fees may be established only for the persons mentioned in sections 15, 16 and 17.

15. The general fees for all of the passages of a road vehicle on a toll road infrastructure for which

(1) the vehicle's registered transponder is in the vehicle and is functioning may not exceed \$2.50 per month for the person in whose name the transponder is registered;

(2) an anonymous transponder is in the vehicle and is functioning may not exceed \$2.50 per month for the person who is the holder of the transponder;

(3) a customer account, opened with the partner, to which the passages of the vehicle are charged may not exceed \$2.50 per month for the holder of the customer account.

16. The fees payable by the person liable for payment under section 13 of the Act respecting transport infrastructure partnerships for the passage of a road vehicle on a toll road infrastructure may not exceed

(1) \$3 per passage for the holder of a customer account;

(2) \$5 per passage for the driver of a road vehicle or the holder of the road vehicle's registration certificate who is liable for payment of the toll under paragraphs 4, 5 and 6 of section 13 of the Act respecting transport infrastructure partnerships.

17. The partner may establish fees not exceeding \$35 for enforcing payment of the toll and the administration fees and may claim them from the person liable for payment under section 13 of Act respecting transport infrastructure partnerships for the passage on a toll road infrastructure of a road vehicle not registered in Québec.

18. The additional fees payable to the partner to obtain the photograph showing the road vehicle's registration plate and indicating the place, date and time of its passage on a toll road infrastructure are \$2.00.

The additional fees prescribed in the first paragraph are automatically indexed on January 1 each year according to the rate corresponding to the annual variation in the aggregate average for the consumer price index for Québec, excluding alcoholic beverages and tobacco products, for the 12-month period ending on September 30 of the year preceding the year for which those fees are to be indexed. The indexing rate may not be lower than zero. The Minister of Transport publishes in the *Gazette officielle du Québec* the results of the indexing that must be rounded off to the nearest cent.

§3. *Establishment of interest*

19. The interest rate that the partner may establish may not be higher than the daily rate of Canadian bankers' acceptances appearing on the CDOR page of the Reuters system at 10:00 a.m. on the date on which the sum bearing interest first becomes payable, plus 4%.

DIVISION 4

TOLL DEVICES AND DEVICES OR EQUIPMENT USED TO IDENTIFY A VEHICLE AT A TOLL STATION

20. A toll device must be manufactured and certified according to one of the following standards published by Industry Canada:

(1) RSS-210 entitled Low-power Licence-exempt Radiocommunication Devices (All Frequency Bands): Category I Equipment;

(2) RSS-310 entitled Low-power Licence-exempt Radiocommunication Devices (All Frequency Bands): Category II Equipment.

21. A toll device must have a mechanism ensuring the traceability of its operations.

22. A toll device must have the following components:

(1) a system for detecting road vehicles and transponders;

(2) a system for identifying a road vehicle at a toll station;

(3) a system for classifying road vehicles;

(4) a system for recording passages and calculating the amount of tolls.

23. The system for detecting road vehicles must be capable of

(1) detecting road vehicles travelling under the toll device's collection point;

(2) detecting the presence of a transponder that is functioning and is in the road vehicle travelling under the toll device's collection point, and, if applicable, reading the information recorded in it.

24. The system for identifying a road vehicle at a toll station must be capable of

(1) photographing the road vehicle's front or rear registration plate, as applicable, as well as the front or rear of the vehicle, as applicable;

(2) identifying on the photograph the place where it was taken and the date and time when the passage of the vehicle under the toll device's collection point was detected;

(3) determining the height of the vehicle and any other particulars that can be used to determine to which vehicle class or, where applicable, subclass it belongs;

(4) identifying, where applicable, a transponder that is in the vehicle and is functioning.

25. The system for identifying a road vehicle at a toll station must be capable of producing photographs on which a person having normal vision is capable of discerning, as applicable, the following particulars identifying the road vehicle:

(1) the make and model of the road vehicle;

(2) the place where the registration plate is mounted;

(3) the number of the front or rear registration plate, as applicable.

26. The system for identifying a road vehicle must have a mechanism preventing alteration of the data and images.

27. The system for classifying road vehicles must be capable of

(1) determining a road vehicle's class;

(2) determining the number of the vehicle's axles.

28. The system for recording passages and calculating the amount of the tolls must be capable of

(1) calculating, in accordance with the fee schedule in force at the time of the road vehicle's passage under the toll device's collection point, the amount of the toll, taking into account the following variables:

(a) the direction of the traffic lane in which the road vehicle is travelling at the time of its passage;

(b) the day of the week and, where applicable, the fact that the day is a legal holiday;

(c) the period during the day;

(d) the class of road vehicle;

(e) the number of axles;

(2) recording in the toll device's data base, for each passage of a road vehicle under the toll device's collection point, some or all of the following particulars:

(a) a unique passage number;

(b) the direction travelled by the road vehicle and the highway number;

(c) the date and time of passage;

(d) the number of axles;

(e) the data concerning classification of the vehicle and calculation of the amount of the toll and, where applicable, of the administration fees and interest;

(f) the number of the front or rear registration plate, as applicable;

(g) the image of the vehicle's front or rear, as applicable;

(h) the number of the transponder, if applicable;

(i) the number of the customer account, if applicable.

29. An attestation of provisional receipt issued by Delcan Corporation or MMM Group Limited pursuant to an agreement entered into in accordance with the Act respecting transport infrastructure partnerships constitutes certification authorizing the partner to use the toll device upon activation of the toll road infrastructure.

Within 18 months of the activation of the toll road infrastructure, the toll device must be the subject of a second certification. The attestation of final receipt issued by Delcan Corporation or MMM Group Limited pursuant to an agreement entered into in accordance with the Act respecting transport infrastructure partnerships constitutes a certification for the purposes of this Regulation.

Following the second certification, a toll device must be verified every six months by Delcan Corporation, MMM Group Limited or the Laboratoire de sciences judiciaires et de médecine légale to validate that it continues to function properly. It must also be certified by one of those organizations when it is modified in a way that might affect compliance with the standards prescribed in sections 23 to 28.

DIVISION 5 REGISTRATION AND DISTRIBUTION OF TRANSPONDERS

30. A partner must distribute transponders that can be used to detect the passage of a road vehicle on the toll road infrastructure that it operates. To do so, it may give, sell or rent the transponders.

31. Each transponder must make it possible to identify the road vehicle with which it is associated.

32. The partner must keep a register on the distribution of the transponders, including in particular

(1) the transponder's number;

(2) the class of road vehicle with which it is associated.

33. A person may ask to have a transponder registered in his or her name for a road vehicle, whether or not he or she is the owner of the vehicle.

34. Registration of a transponder may cover more than one class B or C road vehicle, provided that all of those vehicles belong to the same class.

DIVISION 6 PERSON ENTRUSTED WITH THE ENFORCEMENT OF THE ACT FOR THE PURPOSES OF DRAWING UP OFFENCE REPORTS

35. An employee of the partner designated by the Minister of Transport as a person entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up the offence report referred to in article 62 of the Code of Penal Procedure (R.S.Q., c. C-25.1) must, at the time he or she is designated,

(1) be of full age;

(2) not have been found guilty of or have pleaded guilty to a criminal offence within the past five years involving the activities he or she may be called on to perform as a result of having been so designated, unless he or she has obtained a pardon;

(3) have taken the oath in Schedule 1 before a person authorized to administer oaths.

DIVISION 7 TRANSITIONAL AND FINAL

36. During the first 90 days following the activation of bridge P-15020 on autoroute 25, any person liable for payment under section 13 of the Act respecting transport infrastructure partnerships for the passage on that bridge of a road vehicle referred to in section 3 of this Regulation is exempted from such payment.

37. Despite the first paragraph of section 11, a partner may, during the first 90 days following the activation of the toll road infrastructure, establish the amount of a toll at less than the minimum toll rate per axle.

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

SCHEDULE 1

(s. 35)

OATH OF A PERSON ENTRUSTED WITH THE ENFORCEMENT OF THE ACT RESPECTING TRANSPORT INFRASTRUCTURE PARTNERSHIPS FOR THE PURPOSES OF DRAWING UP THE OFFENCE REPORT REFERRED TO IN ARTICLE 62 OF THE CODE OF PENAL PROCEDURE

“I, (last name, first name), declare under oath that I will perform all duties and exercise all powers of a person entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports and will do so faithfully, impartially and honestly, to the best of my ability and knowledge.

I also declare under oath that I will neither reveal nor disclose, unless duly authorized to do so, any confidential information that may come to my knowledge in the performance of my duties.”.

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Gouvernement du Québec

O.C. 284-2011, 23 March 2011

An Act respecting the Ministère des Transports (R.S.Q., c. M-28)

Provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures**— Amendment**

Regulation to amend the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures

WHEREAS, under sections 12.1.1 of the Act respecting the Ministère des Transports (R.S.Q., c. M-28), the Government may, by regulation, prohibit the provision of road service or towing by a tow truck on all or part of a public road that it specifies among the roads, autoroutes and bridges or other infrastructures maintained by the Minister or by a partner in accordance with the Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001);

WHEREAS the Government made the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures by Order in Council 987-98 dated 21 July 1998;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures was published in Part 2 of the *Gazette officielle du Québec* of 29 December 2010 with a notice that it could be made by the Government on the expiry of 45 following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures*

An Act respecting the Ministère des Transports (R.S.Q., c. M-28, s. 12.1.1)

1. The Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures is amended in section 1

(1) by replacing paragraph 6 by the following:

“(6) the segment of Autoroute 25 which extends:

(a) on the northbound lane, from the extremity of the approach nose of the ramp of the La Prairie exit (number 90) located in Ville de Longueuil, to the southwestern limit of the bridge of Avenue de l’Esplanade (structure bearing number 11836) which crosses

* The Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures was made by Order in Council 987-98 dated 21 July 1998 (1998, *G.O.* 2, 3600).

Autoroute 25, located in Ville de Mascouche, including the interchange of autoroutes 40, 440 and 640, Pont-tunnel Louis-Hippolyte-La Fontaine and bridge P-15020 which crosses Rivière des Prairies;

(b) on the southbound lane, from the southwestern limit of the bridge of Avenue de l'Esplanade (structure bearing number 11836) which crosses Autoroute 25, located in Ville de Mascouche, to the extremity of the approach nose of the entrance ramp on Autoroute 25 Sud originating from Autoroute 20 Est (ramp bearing number 00020-02-215-32P0), located in Ville de Longueuil, including the interchange of autoroutes 40, 440 and 640, Pont-tunnel Louis-Hippolyte-La Fontaine and bridge P-15020 which crosses Rivière des Prairies;"

(2) by inserting the following after paragraph 17:

“(17.1) the segment of Route 125 which extends:

(a) on the northbound lane, from the southeastern limit of the bridge of Boulevard Henri-Bourassa (structure bearing number 15687) which crosses Route 125, named Boulevard Pie-IX, located in Ville de Montréal, to the virtual line perpendicular to Route 125, located at the centre of the north edge of the U-turn giving access to Route 125 Sud by Route 125 Nord (00019-02-031-U1A0), that U-turn being at an approximate distance of 25 metres from the centre line of the intersection of Pie-IX and Duchesse streets, located in Ville de Laval, including Pont Pie-IX and the interchange of Autoroute 440;

(b) on the southbound lane, from a virtual line perpendicular to Route 125, located at the centre of the north edge of the U-turn giving access to Route 125 Sud by Route 125 Nord (00019-02-031-U1A0), that U-turn being at an approximate distance of 25 metres from the centre line of the intersection of Pie-IX and Duchesse streets, located in Ville de Laval, to the southeastern limit of the bridge of Boulevard Henri-Bourassa (structure bearing number 15687) which crosses Route 125, named Boulevard Pie-IX, located in Ville de Montréal, including Pont Pie-IX and the entrance and exit ramps linked to the above-described road segment;"

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

Gouvernement du Québec

O.C. 363-2011, 30 March 2011

An Act respecting the Ministère des Transports
(R.S.Q., c. M-28)

Signing by a functionary of certain deeds, documents and writings — Amendment

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

WHEREAS, under the first paragraph of section 7 of the Act respecting the Ministère des Transports (R.S.Q., c. M-28), no deed, document or writing binds the department or is attributed to the Minister unless signed by the Minister, the Deputy Minister or a functionary but, in the case of such functionary, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, made by Order in Council 701-94 dated 11 May 1994;

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

THAT the Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports*

An Act respecting the Ministère des Transports (R.S.Q., c. M-28, s. 7)

1. The Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports is amended by inserting the following after section 1:

“**1.1.** Only a functionary referred to in Division 5.3 may sign a deed, document or writing in connection with accomplishing the Bureau de la Capitale-Nationale’s mandate.”.

2. Section 3.1 is amended by inserting “and Deputy Director General” before “of Montreal and the West”.

3. The following is inserted after section 31.7:

“DIVISION 5.3

BUREAU DE LA CAPITALE-NATIONALE

31.8. The Associate Deputy Minister responsible for the Bureau de la Capitale-Nationale is authorized to sign, for the purposes of accomplishing the Bureau’s mandate, any supply contract, technical service contract, professional service contract referred to in section 11.1 and any research contract entered into with a university, a government body or a non-profit teaching or research organization.

The Director of Administrative and Strategic Support and the Director of Regional Development and Communications are authorized to sign, for the purposes of accomplishing the Bureau’s mandate, any contract referred to in the first paragraph for an amount less than \$25,000.

31.9. The Associate Deputy Minister responsible for the Bureau de la Capitale-Nationale is authorized to sign, for the purposes of accomplishing the Bureau’s mandate,

any document relating to subsidies granted in accordance with the standards approved by the Government or the Conseil du trésor.

The Director of Administrative and Strategic Support and the Director of Regional Development and Communications are authorized to sign, for the purposes of accomplishing the Bureau’s mandate, any document referred to in the first paragraph for an amount less than \$350,000.

31.10. The Associate Deputy Minister responsible for the Bureau de la Capitale-Nationale is authorized to sign, for the purposes of accomplishing the Bureau’s mandate, any agreement referred to in section 19 and any service sharing agreement.

31.11. Functionaries holding a credit card issued on behalf of the Bureau de la Capitale-Nationale are authorized to sign, in the performance of their duties and for the purposes of accomplishing the mandate of the administrative unit to which they are attached, documents regarding the acquisition of eligible goods or services within the meaning of the agreement entered into with the card issuer up to the maximum amount authorized per transaction.”.

4. 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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* The Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, made by Order in Council 701-94 dated 11 May 1994 (1994, *G.O.* 2, 1939), was last amended by the regulation made by Order in Council 38-2002 dated 23 January 2002 (2002, *G.O.* 2, 809). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Draft Regulations

Draft Regulation

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1)

Distribution of information and protection of personal information

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 distribution of information and the protection of personal information applicable to professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation promotes access to information held by professional orders and establishes special measures to protect personal information.

To that end, the draft Regulation identifies the documents or information made accessible by law that must be distributed through a website by professional orders. It also provides measures to protect personal information in particular in connection with computer systems, systems to provide services electronically, surveys and video surveillance. Lastly, it designates the persons in charge of implementing those obligations.

The Regulation has no impact on enterprises, in particular small and medium-sized businesses.

Further information may be obtained by contacting Daniel Bourassa, Secrétariat à la réforme des institutions démocratiques et à l'accès à l'information, 875, Grande Allée Est, bureau 3.501, Québec (Québec) G1R 4Y8; telephone: 418 528-8024; fax: 418 528-8094; e-mail: daniel.bourassa@mce.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments before the expiry of the 45-day period to the undersigned, 875, Grande Allée Est, bureau 3.703, Québec (Québec) G1R 4Y8.

PIERRE MOREAU,
*Minister responsible for the Reform
of Democratic Institutions and Access
to Information*

Regulation respecting the distribution of information and the protection of personal information applicable to professional orders

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1, ss. 16.1, 63.2 and 155)

DIVISION I SCOPE

1. This Regulation applies to professional orders. The Office des professions du Québec is subject to the Regulation for the purposes of section 4.

DIVISION II PERSON RESPONSIBLE

2. The president of a professional order, in cooperation with the syndic, must

(1) oversee the implementation of the responsibilities and obligations assigned by this Regulation to the professional order;

(2) see that the order's staff members and directors are made aware of and receive training on the obligations and procedures concerning access to information and the protection of personal information.

DIVISION III DISTRIBUTION OF DOCUMENTS OR INFORMATION

3. A professional order must distribute the following documents and information through a website, insofar as the documents and information have been made accessible by law:

(1) the letters patent and supplementary letters patent referred to in sections 27 and 27.1 of the Professional Code (R.S.Q., c. C-26), respectively, as well as integration or amalgamation orders and subsequent order made under sections 27.2 and 27.3 of the Code, respectively;

(2) the organization chart;

(3) the name, title and duties of the persons referred to in section 108.6 of the Code;

(4) the name of the persons in charge of access to documents and the protection of personal information and their contact information;

(5) the classification list required by the first paragraph of section 16 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1);

(6) the register established under section 67.3 of the Act;

(7) the studies, research or statistical reports produced by or for the order, whose distribution is of interest for the purposes of public information;

(8) the documents sent under a request for access, whose distribution is of interest for the purposes of public information;

(9) for each person entered on the roll of the order, taking into account the restriction imposed by the second paragraph of section 108.8 of the Professional Code:

(a) the information referred to in subparagraphs 1 to 6 and subparagraph 9 of the first paragraph of section 46.1 of the Code;

(b) the information referred to in subparagraphs 7 and 8 of that section, for every suspension or limitation of the right to practise or declaration of disqualification that is in effect at the time of distribution;

(10) a description of the services offered to the public and programs implemented by the order, and the related forms, including the forms to further the exercise of the rights and recourses provided for in the Professional Code;

(11) with regard to the professional liability insurance of members:

(a) the means by which security to cover that professional liability is furnished and the minimum amount of protection and exemptions from the obligation to furnish such security;

(b) the professional liability group insurance plan contract entered into by the order, including any riders;

(12) the annual report of the liability insurance fund, including the audited financial statements, as of the date of their transmission to the board of directors;

(13) the formalities and administration costs payable required for requests addressed to the order by members or by persons applying for a permit;

(14) the fees charged to person who requests an opinion from the review committee;

(15) the tariff of professional fees that the members of the order may apply in respect of the professional services they render, suggested in accordance with paragraph 12 of section 86.0.1 of the Professional Code, if applicable;

(16) a list of the agreements entered into pursuant to paragraph 7 of section 86.0.1 of the Code with any body to facilitate mutual recognition of the qualifications required for the issue of permits, specialist certificates or special authorizations;

(17) the hearing roll of the disciplinary council;

(18) notice of a decision imposing a temporary or permanent striking off the roll, a temporary or permanent restriction or suspension of the right to practise or a revocation of the permit or specialist's certificate during the period in which the penalty is effective;

(19) the documents produced and tabled by the order, in accordance with the Standing Orders of the National Assembly, for the purposes of a public sitting of the National Assembly or one of its committees or subcommittees, including those included in the list established under section 58 of the Standing Orders;

(20) an annual report attesting to the distribution of the documents referred to in this Division and giving an account of

(a) the nature and number of requests for access received, making a distinction between those processed within the 20-day period or the 30-day period, the provisions of the Act respecting Access to documents held by public bodies and the Protection of personal information justifying the denial of certain requests, the number of requests for access granted, partially granted or denied, the number of requests for access that required reasonable accommodation and the number of requests for which an application for review has been made with the Commission d'accès à l'information;

(b) the activities involving access to information and the protection of personal information carried out within the professional order.

4. The Office des professions must distribute the following documents through its website, insofar as they have been made accessible by law:

(1) documents to further the exercise of the rights and recourses provided for in the Professional Code, the Acts constituting the professional orders and the regulations and by-laws under the Code or those Acts, drawn up pursuant to subparagraph 9 of the third paragraph of section 12 of the Code;

(2) any draft letters patent or supplementary letters patents referred to in sections 27 and 27.1 of the Code, respectively, and published in the *Gazette officielle du Québec*;

(3) any draft amalgamation or integration order and any draft amendment to the amalgamation or integration order referred to in sections 27.2 and 27.3 of the Code, respectively, and published in the *Gazette officielle du Québec*.

5. A professional order must promptly distribute a document or information referred to in section 3 through a website and leave it there for as long as it is up-to-date, or until the order is no longer required to keep it. The foregoing also applies to the Office des professions du Québec with respect to a document referred to in section 4.

DIVISION IV MEASURES TO PROTECT PERSONAL INFORMATION

6. A professional order must ensure that its projects to acquire, develop or overhaul an information or electronic service system that collects, uses, keeps, releases or destroys personal information are monitored by special measures to protect personal information for the time required to carry out the project and measures to preserve that protection during the use, maintenance, modification or evolution of the information of electronic service system;

7. A professional order having recourse to a survey involving the collection or use of personal information must examine

(1) the need to conduct the survey; and

(2) the ethical aspect of the survey with regard to the sensitivity of the personal information collected and the purposes for which it is to be used.

8. A professional order having recourse to video-surveillance technology must ensure that its use is monitored by special measures to protect personal information. The order must examine, in particular,

(1) the need to use that technology; and

(2) whether the use of that technology is consistent with the right to privacy.

The syndic of the order is responsible for the obligations in the first paragraph in the course of the exercise of his or her duties.

DIVISION V FINAL

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

(1) paragraph 20 of section 3, which comes into force on (30 months after the coming into force of this Regulation);

(2) sections 3 to 5, which come into force on (18 months after the coming into force of this Regulation).

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Draft Regulation

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1)

An Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1)

Commission d'accès à l'information — Procedure

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 procedure and evidence of the Commission d'accès à l'information, made by the Commission d'accès à l'information and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation replaces the Rules of Proof and Procedure before the Commission d'accès à l'information, approved by Order in Council 2058-84 dated 19 September 1984 (1984, *G.O.* 2, 3475). The draft Regulation sets out the rules of procedure and evidence governing hearings of the adjudicative division of the Commission. Certain provisions concern documents submitted, the notice of hearing to the parties, the summoning of witnesses and rules on the time allotted to proceedings, from the time applications are filed with the Commission.

In addition to the results expected from the new rules on procedure and evidence for the best interest of parties, study of the matter shows no constraints or financial impact on the public and enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Christyne Cantin, Direction des affaires juridiques, Commission d'accès à l'information, 575, rue Saint-Amable, bureau 1.10, Québec (Québec) G1R 2G4; telephone: 418 528-7741 or 1 888 528-7741 (toll-free); fax: 418 529-3102.

Any interested person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean-Sébastien Desmeules, Secretary General, Commission d'accès à l'information, 575, rue Saint-Amable, bureau 1.10, Québec (Québec) G1R 2G4.

PIERRE MOREAU,
*Minister responsible for the Reform
of Democratic Institutions and Access
to Information*

Regulation respecting procedure and evidence of the Commission d'accès à l'information

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1, s. 137.3)

An Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1, s. 50.1)

DIVISION I GENERAL

1. This Regulation applies to applications made to the Commission d'accès à l'information in the performance of its adjudicative function.

For the purposes of sections 9, 11, 12, 26 and 48 of this Regulation, "application" means an application for review, an application for the examination of a disagreement, an application for authorization to disregard certain applications and an application to refuse or cease examining a case.

2. No proceedings brought pursuant to this Regulation must be considered invalid or dismissed for any defect of form.

3. The following are non-judicial days:

- (1) Saturdays and Sundays;
- (2) 1 and 2 January;
- (3) Good Friday;
- (4) Easter Monday;
- (5) the Monday preceding 25 May;
- (6) 24 June;
- (7) 1 July;
- (8) the first Monday of September;
- (9) the second Monday of October; and
- (10) 24, 25, 26 and 31 December.

4. If the date set for performing an act falls on a non-judicial day, it may validly be done on the following judicial day.

5. In computing a time period, the day marking the start of the period is not counted but the last day is counted.

6. The Commission has, within the scope of the law, full authority over the conduct of the hearing. It must, in conducting the proceedings, be flexible and ensure that the substantive law is rendered effective and carried out.

The Commission is not bound to apply the rules of civil evidence and procedure.

7. The Commission may relieve a party from the obligation to act within the time prescribed by this Regulation if, in its opinion, the party establishes that it was unable, for valid reasons, to act sooner and that no party suffers serious harm therefrom.

8. With the exception of the documents related to the contestation referred to in section 151 of the Act respecting Access to documents held by public bodies and the Protection of personal information, confidential documents in dispute must be destroyed on the expiry of 60 days after the date of the decision of the Commission unless the public body, enterprise or professional order asks the Commission to return them.

DIVISION II

MAKING AN APPLICATION

9. An application filed with the Commission must be made in writing and contain

(1) the applicant's name, address and telephone number and any fax number and e-mail address;

(2) the name, address, telephone and fax numbers of the applicant's advocate, if applicable, and any e-mail address; and

(3) the name of the public body, enterprise or professional order concerned.

The application must be signed by the applicant or the applicant's advocate.

10. An application for review or for the examination of a disagreement must be accompanied by

(1) a copy of the request for access, request for correction or rectification, notice to a third person or request for removal from a nominative list; and

(2) a copy of the decision or, failing that, of the acknowledgment of receipt of the public body, enterprise or professional order, if applicable.

11. An application or a document may be filed with the Commission at one of its offices

(1) by mail;

(2) by fax;

(3) by its delivery; or

(4) by e-mail, insofar as that means is proposed by the Commission.

12. Upon receiving an application, the Commission sends an acknowledgment of receipt to the applicant or the applicant's advocate.

The Commission informs the public body, enterprise or professional order and, if applicable, the third person concerned by the request by sending them a copy of the request.

13. Within 30 days of receiving the acknowledgment of receipt sent by the Commission, the public body or professional order must provide, if applicable, the contact information of all the third persons referred to in

sections 23 and 24 of the Act respecting Access to documents held by public bodies and the Protection of personal information.

DIVISION III

WRITTEN PROCEEDINGS

14. A person who requests to be released from a failure to observe the time limit provided for in section 135 of the Act respecting Access to documents held by public bodies and the Protection of personal information or section 43 of the Act respecting the protection of personal information in the private sector must specify in the application for review or for the examination of a disagreement, as the case may be, the reasons for which the person failed to act sooner.

15. It is the responsibility of a party to send to every other party a copy of every application, document or notice that the party files with the Commission, except confidential documents.

Every written document filed following the opening of the file must indicate the file number assigned by the Commission and mention that a copy was sent to every other party.

16. As soon as the Commission is informed of the name of the advocate of a party, all subsequent correspondence is sent to the advocate until the Commission is informed in writing that the advocate's mandate has been revoked.

17. An advocate who ceases to represent a party must immediately so inform the Commission and the other parties in writing.

18. Any change to the contact information of a party or a party's advocate is immediately communicated in writing to the Commission.

DIVISION IV

MEDIATION AND SETTLEMENT

19. Mediation is a confidential, free and voluntary process. Its goal is to bring the parties to explore solutions that are mutually satisfactory.

20. Not later than 2 months after receiving an application, the Commission informs the parties of the name and contact information of the mediator designated by the Commission to attempt to bring the parties to an agreement.

The mediator represents neither party and acts neutrally.

21. Mediation may take place between the parties at any time during the course of a proceeding before the Commission. A party or the mediator may suspend or terminate mediation at any time.

22. Mediation does not suspend the proceedings.

23. Unless the parties consent thereto, nothing that is said or written in the course of a mediation session may be admitted as evidence.

24. The settlement reached by the parties may be confirmed by the Commission, on its own initiative or at the request of either party.

25. The filing of a notice indicating that the dispute is resolved terminates the proceedings.

DIVISION V NOTICE OF HEARING AND INTERVENTION

26. Not later than 8 months after receiving an application, the Commission informs the parties of the means by which they will be able to submit their observations and of the time limit allowed to do so, which may not be less than 30 days.

27. Where a hearing is scheduled, the Commission sends to the parties a notice of hearing specifying the date and place of the hearing. The notice is sent to the parties' last address provided to the Commission or, if applicable, to their advocate's address.

28. A person who alleges to have an interest in a case may apply to the Commission in writing for the authorization to intervene. The application for intervention must be notified to the parties and contain the information provided for in section 9 as well as a brief summary of the person's interest.

29. A party that intends to object to an intervention indicates to the Commission, as soon as the application for intervention is received, the reasons for the party's objection.

30. The Commission may, on its own initiative or at the request of a party, implead a person whose presence is necessary to allow a complete resolution of the dispute or whose interests may be affected by the decision.

31. A request to postpone a hearing must be submitted in writing, as soon as possible, to the chair of the Commission. The request must be substantiated and sent to all the parties involved. The request is accompanied by any supporting documents, except personal information which is communicated only to the chair.

The postponement is granted only if the request is based on serious grounds and if the interests of justice are better served. No postponement is granted solely by the consent of the parties.

DIVISION VI HEARING

32. The Commission may, on its own initiative or at the request of an interested party, hold a pre-hearing conference in order to find means to simplify, shorten or facilitate the proceedings.

33. The Commission may, on its own initiative or at the request of a party, summon a person to appear at the hearing to testify or produce a document.

An application to summon a witness must be substantiated and be made in writing to the Commission at least 20 days before the date of the hearing. The Commission may, on serious grounds, agree to a different time limit.

The summons is served at least 5 clear days before the hearing and the payment of the expenses and indemnities relating to it are borne by the person who requires the presence of a witness.

34. A party that summons a witness must advance to the witness the indemnity for loss of time and the allowances for transportation, meals and accommodation in accordance with sections 2 and 3 of the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice (R.R.Q., 1981, c. C-25, r. 2).

35. The hearing takes place in one of the places where the Commission sits nearest to the applicant's domicile. The Commission may choose another place in the interest of justice.

A party that wants the hearing to be held at another place must, as soon as possible and not later than 30 days following receipt of the notice of hearing, make a written request to the chair of the Commission.

36. At the opening of the hearing, if one of the parties duly called is absent and has not validly justified the absence, the Commission may dispose of the application in accordance with the law.

37. Hearings are public. However, in order to preserve public order, the Commission may order that a hearing be held *in camera*.

The Commission proceeds *in camera* to avoid releasing information that could qualify for protection under the law.

38. Where the public body, enterprise, professional order or third person alleges that a document should be withdrawn from access, the Commission may, in the absence of the applicant and *in camera*, examine the document and receive evidence related to the document.

39. The Commission may, where it deems it appropriate, order that the witnesses testify outside each other's presence.

40. Witnesses swear to tell the truth.

41. The cost of the services of an interpreter is borne by the party that hires the interpreter. However, the Commission provides the services of an interpreter to a handicapped person requiring those services.

42. Persons attending the hearing must behave with dignity and respect towards justice. They must refrain from any conduct that may interfere with the proper conduct of the hearing.

DIVISION VII EVIDENCE

43. At the opening of the hearing, the public body, enterprise or professional order must supply the Commission with the documents in dispute.

44. A party that intends to produce documents at the hearing must provide a sufficient number of copies for the Commission and the other parties.

45. When it has taken a case under advisement, the Commission may, on its own initiative or at the request of a party, before the decision is rendered, order the reopening of the case to hear any evidence and to receive the observations of the parties as it deems necessary.

46. Representations made at the hearing are recorded on audio tape, unless a party has them recorded by a stenographer or stenotypist at its expense.

Where a party has representations transcribed, the party must provide a copy to the Commission free of charge.

No other recording may be made without the authorization of the Commission.

DIVISION VIII ADVISEMENT AND DECISION

47. No case is taken under advisement until the record has been completed.

48. The decision is rendered by the member who has heard the application and that decision constitutes the decision of the Commission. The decision must be in writing and provide reasons.

49. The secretary of the Commission keeps the original of the decision and sends a true copy of the decision to each party or the party's advocate by any means providing evidence of the date of receipt.

DIVISION IX FINAL

50. This Regulation replaces the Rules of Proof and Procedure before the Commission d'accès à l'information approved by Order in Council 2058-84 dated 19 September 1984.

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

1358

Draft Regulation

Courts of Justice Act
(R.S.Q., c. T-16)

Exemption from security screening in courts of justice

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 security screening exemption cards for courts of justice, appearing below, may be made by the Ministers of Justice and Public Security on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine a security device for gaining access to the courts of justice without being screened, to prescribe the conditions for the application and use of that device and to specify the categories of persons who may be so exempted.

To date, study of the matter has shown no impact on the public and on enterprises, in particular small and medium-sized businesses.

Further information may be obtained by contacting Denise McManiman, Office of the Deputy Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1; telephone: 418 643-4090, extension 20587; fax: 418 643-3877.

Any person having comments to make on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

JEAN-MARC FOURNIER, ROBERT DUTIL,
Minister of Justice, Minister of Public Security

Regulation respecting security screening exemption cards for courts of justice

Courts of Justice Act
(R.S.Q., c. T-16, s. 282.0.10)

1. A security screening exemption card may be issued to gain access to a building or part of the building occupied or used by the Court of Appeal, the Superior Court and the Court of Québec, in which security screening measures are in effect, to persons who are not exempt by Part VII.1 of the Courts of Justice Act (R.S.Q., c. T-16) and are part of the following categories:

(1) persons who have their place of work in the building or part of the building covered by the security screening;

(2) journalists, camera operators and press photographers who, to carry on their activities, are mainly assigned to the building or part of the building and who prove their status and assignment.

2. Members of a body of the Administration who prove their status may obtain a card to carry on their activities.

A body of the Administration is a body a majority of the members of which are appointed by the Government or by a Minister and whose personnel is appointed in accordance with the Public Service Act (R.S.Q., c. F-3.1.1).

3. To be issued an exemption card, a person must make an application to the Minister of Public Security or the Minister's delegate.

The card includes the name, quality and photograph of its holder. The photograph is to be renewed at least once every 5 years.

The card remains the property of the Minister of Public Security.

4. The card may only be used by its holder and gives access to the building or part of the building without being screened.

At every passage, the card holder must present the card to the security screening officers or, as the case may be, to the identity scanner installed for that purpose.

5. In the event of a stolen or lost card, the card holder must so notify the Minister of Public Security or the Minister's delegate as soon as possible so that the card may be deactivated.

6. A card holder must return the card to the Minister of Public Security or the Minister's delegate as soon as the person is no longer part of the categories of persons determined in this Regulation.

The card must also be returned when the card holder is so required by the Minister of Public Security or the Minister's delegate.

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

1372

Draft Regulation

An Act respecting labour relations, vocational training and workforce management in the construction industry
(R.S.Q., c. R-20)

Commission de la construction du Québec — Issuance of competency certificates

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the issuance of competency certificates, made by the Commission de la construction du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation recognizes the skills of workers accredited for construction trades by regulatory bodies outside Québec and gives them access to the Québec construction industry without imposing significant additional requirements on them, the whole in compliance with the provisions of the Agreement on Internal Trade respecting labour mobility.

Further information may be obtained by contacting Diane Lemieux, President and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3; telephone 514 341-7740, extension 6331.

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Diane Lemieux, President and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3.

LISE THÉRIAULT,
Minister of Labour

Regulation to amend the Regulation respecting the issuance of competency certificates*

An Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20, s. 123.1, 1st par., subpars. 6 and 7, and 2nd par.)

1. The Regulation respecting the issuance of competency certificates is amended in section 1.2

(1) by adding “or an equivalent course according to the Commission de la santé et de la sécurité du travail” at the end of the first paragraph;

(2) by replacing “, specialty or, as the case may be, skills for which the qualification certificate or attestation of experience” in the second paragraph by “or specialty for which the qualification certificate”.

2. Section 1.3 is amended by replacing “, by an agency empowered to do so under the Statutes of Québec or issued in accordance with the provisions of the Interprovincial Standards Red Seal Program” by “or by an agency empowered to do so under the Statutes of Québec”.

3. The following is inserted after section 4.3:

“**4.4.** The Commission issues, upon application, an occupation competency certificate to a person who meets the following requirements:

(1) the person holds a Red Seal qualification certificate, issued in accordance with the provisions of the Interprovincial Standards Red Seal Program, or holds a

qualification certificate issued by a regulatory authority recognized under an intergovernmental agreement in a trade considered to be an occupation in Québec;

(2) the person has successfully completed the safety course required by the Safety Code for the Construction Industry or an equivalent course according to the Commission de la santé et de la sécurité du travail.”.

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

1361

Draft Regulation

An Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20)

Commission de la construction du Québec — Vocational training of workforce

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the vocational training of workforce in the construction industry, made by the Commission de la construction du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation recognizes the skills of workers accredited for construction trades by regulatory bodies outside Québec and gives them access to the Québec construction industry without imposing significant additional requirements on them, the whole in compliance with the provisions of the Agreement on Internal Trade respecting labour mobility.

Further information may be obtained by contacting Diane Lemieux, President and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3; telephone 514 341-7740, extension 6331.

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Diane Lemieux, President and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (Québec) H3R 2G3.

LISE THÉRIAULT,
Minister of Labour

* The Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987 (1987, *G.O.* 2, 1471), was last amended by the regulation approved by Order in Council 96-2004 dated 4 February 2004 (2004, *G.O.* 2, 1014) and by chapter 43 of the Statutes of 2009. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Regulation to amend the Regulation respecting the vocational training of workforce in the construction industry*

An Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20, s. 123.1)

1. The Regulation respecting the vocational training of workforce in the construction industry is amended in section 5 by striking out subparagraph 3 of the first paragraph.

2. Section 11 is replaced by the following:

“**11.** The following persons are exempted from the qualification examination in their trade or specialty:

(1) holders of a Red Seal qualification certificate, obtained in accordance with the provisions of the Interprovincial Standards Red Seal Program;

(2) holders of an official authorization to carry on a trade or specialty issued outside Québec and recognized under an intergovernmental agreement as giving entitlement to a qualification certificate for that trade or specialty.”

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

1360

Draft Regulation

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

Certified management accountants

— Code of ethics
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Code of ethics of certified management accountants, made by the board of directors of the Ordre des comptables en management accrédités

* The Regulation respecting the vocational training of workforce in the construction industry, approved by Order in Council 313-93 dated 10 March 1993 (1993, *G.O.* 2, 1835), was last amended by the regulation approved by Order in Council 1297-97 dated 1 October 1997 (1997, *G.O.* 2, 5150). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation adjusts certain rules of ethics to the practice of the profession of certified management accountant within a partnership or joint-stock company, as provided for in the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company and updates certain existing provisions.

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^e étage, Montréal (Québec) H2Y 2H7; telephone: 514 849-1155 or 1 800 263-5390; fax: 514 849-9674; email: 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^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

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

Regulation to amend the Code of ethics of certified management accountants*

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

1. Section 1 of the Code of ethics of certified management accountants is amended by replacing paragraph a by the following:

“a) “firm” means the place where a member who offers services to the public practices his profession, alone or within a partnership or joint-stock company;”

* The Code of ethics of certified management accountants, approved by Order in Council 672-90 dated 16 May 1990 (1990, *G.O.* 2, 1447), was last amended by Order in Council 406-2010 dated 5 May 2010 (2010, *G.O.* 2, 1298). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

2. The Code is amended by inserting the following after section 1:

“**1.1.** A member must comply with the Professional Code (R.S.Q.,c. C-26) and the regulations made under it.

1.2. The fact that a member practices his profession within a partnership or joint-stock company in no way changes or reduces the duties and obligations arising from the Professional Code and the regulations made under it.”.

3. Section 6 of the Code is amended by inserting “, as well as the name of the partnership or joint-stock company within which he practices his profession,” after “accountant” in the second sentence.

4. Section 7 of the Code is repealed.

5. Section 13.1 of the Code is amended

1° by inserting “or shareholders with voting rights” after “partners” in the first paragraph;

2° by adding “The partner or shareholder must hold the most senior position within the partnership or joint-stock company.” at the end of the second paragraph.

6. Section 14 of the Code is replaced by the following:

“**14.** No member may, by any means or for any purpose, make a false, misleading or incomplete representation, in particular with respect to:

1° his level of competence or the efficiency of his services or, where applicable, the level of competence or efficiency of the services of the persons practicing their profession within the same partnership or joint-stock company as himself;

2° the firm he claims to operate and the addresses of the head office and the offices in which he practices his profession.

If the good of his client or employer so requires, he must, upon the latter’s authorization, consult a member, a member of another professional order or another competent person, or invite him to consult one of those persons.”.

7. Section 19 of the Code is replaced by the following:

“**19.** A member must take all necessary steps to correct a situation likely to have, or having, significant consequences for his professional services. If it is impossible to avoid those consequences, he must inform his client or employer as soon as possible.”.

8. The Code is amended by inserting the following after section 20:

“**20.1.** A member must take reasonable care of property entrusted to him by a client, and cannot lend or use the property for any purpose other than that for which the property was entrusted.

If the member practices his profession within a partnership or joint-stock company, he must take all necessary steps to ensure that the partnership or joint-stock company complies with the requirements of the first paragraph when the property is entrusted to the partnership or joint-stock company.”.

9. Section 25 of the Code is amended by adding the following at the end of the first paragraph:

“Fair and reasonable cause includes, in particular,

1° the loss of a client’s trust;

2° the fact that the member is in a situation of conflict of interest or in a context in which his professional independence could be placed in doubt;

3° incitement by a client to commit an illegal, unfair or fraudulent act;

4° a refusal by a client to recognize professional fees or disbursements as an obligation or, after receiving reasonable prior notice, to pay the member an amount to cover them;

5° the fact that a member has been deceived by a client, or that a client has refused to cooperate.”.

10. Section 27 of the Code is replaced by the following:

“**27.** In the practice of his profession, a member must fully engage his civil liability. He may not evade or attempt to evade liability, or require a client or other person to waive his recourse in the event of a professional fault by the member. A member is prohibited from inserting a clause in a contract for professional services to exclude, directly or indirectly, all or part of his civil liability. A member may not invoke the liability of the partnership or joint-stock company within which he practices his professional activities, or the liability of another person practicing activities within the partnership or joint-stock company, to exclude or limit his own personal liability.”.

11. Section 28 of the Code is replaced by the following:

28. In the practice of his profession, a member must subordinate his personal interest and, where applicable, the interest of the partnership or joint-stock company within which he practices, or in which he has an interest, and that of any other person performing duties within the partnership or joint-stock company, to that of his client or his employer.”

12. The Code is amended by inserting the following after section 28:

28.1. A member must ensure that his obligations towards the partnership or joint-stock company, when he acts as an officer or director, are not incompatible with his obligations towards his client.”

13. The Code is amended by inserting the following after section 32:

32.1. When a partner, shareholder, officer, director or employee of a partnership or joint-stock company in which a member practices his professional activities or has an interest is in a situation of conflict of interest, the member, upon becoming aware of the situation, must take all necessary steps to ensure that information, data or documents covered by professional secrecy are not disclosed to that partner, shareholder, officer, director or employee.

In assessing the efficiency of the steps taken, the following factors in particular will be taken into account:

1° the size of the partnership or joint-stock company;

2° the precautions taken to prevent access to the member’s records by the person in a situation of conflict of interest;

3° the instructions given concerning the protection of the confidential information, data or documents concerned by the situation of conflict of interest;

4° the relative isolation, from the member, of the person in a situation of conflict of interest.

14. Section 33 of the Code is replaced by the following:

33. A member must refrain from receiving or soliciting, save for the remuneration to which he is entitled, any gratuity, rebate, sum of money or commission in respect of his professional services. He may, however, accept a customary expression of thanks and gifts of modest value.

The member must also refrain from paying, offering to pay or making a commitment to pay any gratuity, rebate, sum of money or commission in respect of his professional services.”

15. Section 34.3 of the Code is amended by inserting “or shareholder with voting rights” after “partner”.

16. Section 34.6 of the Code is amended by inserting “or shareholder with voting rights” after “partner” in paragraph 7.

17. Section 34.7 of the Code is amended :

1° by inserting “or shareholder with voting rights” after “partner” in paragraph 9;

2° by adding “or shareholders with voting rights” after “partners” at the end of paragraph 9.

18. Section 40.2 of the Code is amended by replacing “” by “the grounds for the refusal”.

19. Section 43 of the Code is replaced by the following:

43. A member may not require full payment for his professional services in advance.”

20. Section 44 of the Code is amended :

1° by replacing the paragraph before paragraph *a* by the following:

44. In addition to the acts referred to in sections 57, 58, 58.1, 59.1 and 59.2 of the Professional Code (R.S.Q., c. C-26) and those determined pursuant to the second paragraph of section 152 of the said Code, the following acts by a member are derogatory to the dignity of his profession”;

2° by inserting the following after paragraph *c*:

“(c.1) failing to notify the Order that he has reason to believe that a member or partnership or joint-stock company within which the member practices his profession has contravened a provision of the Professional Code or of a regulation under it;”;

3° by replacing paragraph *h* by the following:

“(h) failing to inform the Order without delay after assigning his property or being declared bankrupt by a final judgment of a court having jurisdiction.”

21. The Code is amended by inserting the following after section 44:

“**44.1.** For a member practicing his profession within a partnership or joint-stock company, the following acts are also derogatory to the dignity of his profession:

1° failing to take reasonable steps to cause an act derogatory to the dignity of the profession of certified management accountant to cease when performed by another person who practices professional activities within the partnership or joint-stock company, when the member has been aware of the act for over 30 days, or to prevent the repetition of such an act;

2° continuing his activities within the partnership or joint-stock company or having an interest in the partnership or joint-stock company when he has reason to believe that a director, shareholder, partner or employee practices a profession, trade, industry, business, position or function that is incompatible with the practice of the profession;

3° continuing his activities within the partnership or joint-stock company, when a person referred to in subparagraph *a* of subparagraph 1 of the first paragraph of section 3 or subparagraph *a* of subparagraph 1 of the first paragraph of section 4 of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company, approved by Order in Council (insert the number and date of the Order in Council), who holds shares or voting units or who acts as a director or officer of a partnership or joint-stock company, has been struck off or had his permit revoked.

44.2. Notwithstanding section 44.1, a member is authorized to continue to practice his profession within a partnership or joint-stock company within which a person referred to in subparagraph *a* of subparagraph 1 of the first paragraph of section 3 or subparagraph *a* of subparagraph 1 of the first paragraph of section 4 of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company has been struck off the roll of a professional order, or the equivalent, or has had his permit revoked, if

1° the person concerned ceased acting as an administrator or officer of the partnership or joint-stock company within 10 days of the date of the sanction or the date on which the measure imposed became executory;

2° the person concerned ceased to attend all shareholder meetings and to exercise his right to vote within 10 days of the date of the sanction or the date on which the measure imposed became executory;

3° the person concerned relinquished his shares or stock with voting rights within 180 days of the date of the sanction or the date on which the measure imposed became executory.

44.3. Practicing the profession within a partnership or joint-stock company that represents itself as or purports to be a partnership or joint-stock company governed by the Professional Code while failing to comply with the requirements of that Code or of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company is an act derogatory to the dignity of the profession.

44.4. Concluding an agreement or understanding, or allowing an agreement or understanding to be concluded, in particular a unanimous agreement between shareholders, within a partnership or joint-stock company of which the member is a partner or shareholder, that jeopardizes the independence, objectivity and integrity required to practice the profession or compliance with the Professional Code and the regulations under it, is an act derogatory to the dignity of the profession.”

22. Section 47 of the Code is replaced by the following:

“**47.** A member must not betray the good faith of another member or be guilty of a breach of trust or disloyal practices towards that member.”

23. Section 48 of the Code is repealed.

24. Section 50 of the Code and the preceding heading are repealed.

25. The Code is amended by inserting the following after section 50.1:

“**50.1.1.** No member may practice his profession within a partnership or joint-stock company whose name is misleading or deceptive or contrary to the honour or dignity of the profession, or whose name is presented in digital form.

50.1.2. When a member withdraws from a partnership or joint-stock company or dies, his name must no longer appear in the name of the partnership or joint-stock company or in any advertising document for the partnership or joint-stock company one year after the withdrawal or death, as the case may be, unless a contrary agreement has been made to that effect with the member or his successors.”

26. Section 50.5 of the Code is amended by replacing “5” by “three”.

27. The Code is amended by inserting the following after section 50.5:

“**50.5.1.** A member who practices his professional activities within a partnership or joint-stock company must take all reasonable steps to ensure that the advertising of the partnership or joint-stock company or of any other person practicing activities within the partnership or joint-stock company complies with the rules set out in this Division.”.

28. Section 50.6 of the Code is amended:

1° by replacing “partners in” by “members practicing their profession within”;

2° by adding “or unless the other members establish that the advertising was placed without their knowledge or consent and despite the steps taken to ensure compliance with the rules” at the end.

29. Section 50.8 of the Code is replaced by the following:

“**50.8.** A member who uses the graphic symbol of the Order in his advertising and documents must ensure that the symbol conforms to the symbol whose use by members is permitted by the Order and that it is not presented in a way that suggests that the advertising or documents originate from or are approved by the Order.”.

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

1347

Draft Regulation

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

Certified management accountants — Practice of the profession in a partnership or joint-stock company

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 practice of the profession of certified management accountant within a partnership or joint-stock company, made by the Ordre des comptables en management accrédités du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation provides the terms and conditions on which certified management accountants may carry on professional activities within a limited liability partnership or a joint-stock company in accordance with Chapter VI.3 of the Professional Code (R.S.Q., c. C-26), particularly with regard to the administration of the partnership or company and the holding of shares.

In accordance with Chapter VI.3 of the Professional Code, the draft Regulation also includes the obligation to take out insurance to cover any liability that the partnership or company may incur as a result of faults committed by certified management accountants while carrying on professional activities within the partnership or company. Certified management accountants will also be required to provide the Order with the necessary information about the partnership or company and to keep that information up-to-date.

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^e étage, Montréal (Québec) H2Y 2H7; telephone: 514 849-1155 or 1 800 263-5390; fax: 514 849-9674; email: 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^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

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

Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company

Professional Code
(R.S.Q., c. C-26, s. 93, pars. *g* and *h*, s. 94, par. *p*)

DIVISION I GENERAL

1. Members of the Ordre des comptables en management accrédités du Québec are authorized, on the terms and conditions and subject to the restrictions set out in this Regulation, to practice within a limited liability partnership or joint-stock company within the meaning of Chapter VI.3 of the Professional Code (R.S.Q., c. C-26).

2. At all times, members must ensure that the partnership or joint-stock company allows them to comply with the Professional Code and all the regulations made under it.

A member who is struck off the roll for a period of more than 90 days or whose permit is revoked may not, while struck off or while the permit is revoked, directly or indirectly hold a voting unit or share in a partnership or joint-stock company, or act as a director, officer or representative of the partnership or joint-stock company.

DIVISION II TERMS AND CONDITIONS

3. A member may practice within a limited liability partnership or joint-stock company within the meaning of Chapter VI.3 of the Professional Code (R.S.Q., c. C-26) that holds itself out to be exclusively a partnership or joint-stock company of certified management accountants if all the following conditions are met at all times:

1° more than 50% of the voting rights attached to the shares or voting units of the partnership or joint-stock company are held:

a) by members of the Order or by members of a professional order or equivalent body in a province or territory of Canada who practice within the partnership or joint-stock company;

b) by legal persons, trusts or enterprises, where 100% of the voting rights attached to the voting units, shares or equity interests or other rights are held by one or more members of the Order or of a professional order or equivalent body in a province or territory of Canada who practice within the partnership or joint-stock company;

c) by a combination of persons, trusts or enterprises referred to in subparagraphs *a* and *b*;

2° a majority of the members of the board of directors of the joint-stock company, or a majority of the partners or, where applicable, the directors appointed by the partners to manage the affairs of the limited liability partnership, are members of the Order or of a professional order or equivalent body in a province or territory of Canada who practice within the partnership or joint-stock company;

3° a majority of the members of the board of directors or, as the case may be, a majority of the partners or the directors appointed by the partners, are persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph and form a majority of the quorum of the board of directors;

4° at least one member of the Order practicing within the partnership or joint-stock company holds a voting unit or share;

5° the chair of the board of directors of the joint-stock company, or the person who performs similar duties within the limited liability partnership, is a voting partner or shareholder and a member of the Order or of a professional order or equivalent body in a province or territory of Canada;

6° only a member of the Order or of a professional order or equivalent body in a province or territory of Canada practicing within the partnership or joint-stock company is granted, by voting agreement or proxy, the voting rights attached to a share or voting unit held by a member of the Order or of a professional order or equivalent body in a province or territory of Canada or by a legal person, trust or enterprise referred to in subparagraph *b* of subparagraph 1 of the first paragraph.

The members of the Order must ensure that these conditions appear in the contract constituting the limited liability partnership, in the articles of incorporation of the joint-stock company, in the shareholder agreement, or in any other document relating to the constitution or operation of the partnership or joint-stock company. The documents must stipulate that the partnership or joint-stock company is constituted principally for the purpose of carrying on professional activities.

4. In all other cases, the members of the Order are authorized to practice within a limited liability partnership or joint-stock company if:

1° more than 50% of the voting rights attached to the shares or voting units of the partnership or joint-stock company are held

a) by the following persons practicing within the partnership or joint-stock company:

i. members of a professional order governed by the Professional Code;

ii. certified management accountants who are members of a professional order or equivalent body in a province or territory of Canada;

iii. real estate brokers or mortgage brokers holding a licence issued by the Organisme d'autoréglementation du courtage immobilier du Québec;

iv. insurance representatives, claims adjusters and financial planners holding a certificate issued by the Autorité des marchés financiers;

v. dealers, advisers and investment fund managers registered as such in accordance with Title V of the Securities Act (R.S.Q., c. V-1.1);

vi. actuaries who are members of the Canadian Institute of Actuaries;

vii. any persons carrying on an activity similar to those mentioned in subparagraphs iii to v who are governed by the legislation of another province of Canada recognizing them and subjecting them to similar rules;

b) by legal persons, trusts or enterprises, where 100% of the voting rights attached to the voting units, shares or equity interests or other rights are held by one or more persons mentioned in subparagraph *a*; or

c) by a combination of persons, trusts or enterprises referred to in subparagraphs *a* and *b*;

2° a majority of the members of the board of directors of the joint-stock company, or a majority of the partners or of the directors appointed by the partners to manage the affairs of the limited liability partnership, are persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph; and

3° a majority of the members of the board of directors, or a majority of the partners or of the directors appointed by the partners, are persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph and form a majority of the quorum of the board of directors.

The members of the Order must ensure that these conditions appear in the contract constituting the limited liability partnership, in the articles of incorporation of the joint-stock company, in the shareholder agreement, or in any other document relating to the constitution or operation of the partnership or joint-stock company. The documents must stipulate that the partnership or joint-stock company is constituted principally for the purpose of carrying on professional activities.

5. A member of the Order may practice within a partnership or joint-stock company if, before commencing professional activities, the member provides the Order with

1° written confirmation from a competent authority certifying that the partnership or joint-stock company has coverage in accordance with Division II;

2° where the member practices within a joint-stock company, a written document issued by a competent authority certifying the existence of the joint-stock company;

3° where applicable, a certified true copy of the attestation issued by a competent authority stating that the general partnership has been constituted as a limited liability partnership;

4° written confirmation from a competent authority that the partnership or joint-stock company is duly registered in Québec;

5° a written document certifying that the partnership or joint-stock company has an establishment in Québec;

6° an irrevocable written undertaking from the partnership or joint-stock company within which the member practices giving a person, committee, disciplinary body or tribunal referred to in section 192 of the Professional Code the right to require any partner or shareholder of the partnership or joint-stock company to produce any information or document mentioned in section 13;

7° a declaration under oath, taken in compliance with the provisions of section 6, together with the fees fixed by the board of directors of the Order;

8° where applicable, a certified true copy of the declaration required under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45) indicating that the general partnership has become a limited liability partnership.

6. The declaration under oath provided for in paragraph 7 of section 5 is made using the form provided for that purpose by the Order, which contains the following information:

1° the name of the entity within which the member practices, and the other names it uses in Québec, if any, together with the registration number assigned to it by a competent authority;

2° the legal form of the entity;

3° the address of the head office of the partnership or joint-stock company and the addresses of its establishments in Québec;

4° the professional activities carried on by the member within the partnership or joint-stock company;

5° the member's name, home and professional address, and status within the partnership or joint-stock company, together with a list of all the other members of the Order who practice within the partnership or joint-stock company;

6° where the member practices within a joint-stock company, the names and home addresses of the directors of the joint-stock company and, where applicable, the professional order or equivalent to which they belong;

7° where the member practices within a limited liability partnership, the addresses of the establishments of the partnership in Québec, specifying the main establishment, the names and home addresses of all the partners domiciled in Québec and, where applicable, the names and home addresses of the directors appointed to manage the affairs of the partnership, whether or not they are domiciled in Québec, as well as the professional order or equivalent to which they belong;

8° an attestation that the shares or voting units held and the rules of administration of the partnership or joint-stock company comply with the conditions set out in this Regulation;

9° the names of the holders of shares or voting units referred to in subparagraph 1 of the first paragraph of section 3, with the percentage of voting rights held by each;

10° in the case of the holders of shares or voting units referred to in subparagraph *b* of subparagraph 1 of the first paragraph of section 3, an attestation that the conditions of that subparagraph are met;

11° an attestation that the partnership or joint-stock company has undertaken to ensure that the voting shareholders in the partnership or joint-stock company, the partners, directors and officers, as well as the members of its personnel who are not members of the Order, are aware of and comply with the Code of ethics of certified management accountants (C-26, r. 21.1).

7. To retain the right to practice within a limited liability partnership or joint-stock company, the member must:

1° update the documents referred to in paragraphs 1, 4 and 5 of section 5 and submit them before 31 March each year;

2° inform the Order without delay of any change to the coverage provided for in Division II, to any document referred to in section 5, or to the information included in the declaration referred to in section 6, including the striking off, dissolution, assignment of property, bankruptcy, voluntary or forced liquidation of the partnership or joint-stock company or any other cause likely to prevent the partnership or joint-stock company from carrying on its activities in compliance with the conditions set out in section 3 or 4.

8. When more than one member practices within the same partnership or joint-stock company, a single declaration may be made by a representative or substitute for all the members at the partnership or joint-stock company.

The representative and the substitute must be members of the Order, practice in Québec within the partnership or joint-stock company and be voting partners or shareholders.

The declaration made by the representative is deemed to be the declaration of each member at the partnership or joint-stock company. Such members remain responsible for the accuracy of the information provided in the declaration.

DIVISION II **PROFESSIONAL LIABILITY COVERAGE**

9. A member practicing within a partnership or joint-stock company must, to be authorized to practice within that partnership or joint-stock company, provide and maintain coverage for the partnership or joint-stock company against the liabilities of the partnership or joint-stock company arising from fault on the part of the member in the practice of the profession within the partnership or joint-stock company, in accordance with paragraph *g* of section 93 of the Professional Code.

10. The following minimum conditions for the coverage must be set out in a specific rider or contract:

1° an undertaking by the insurer or surety to pay in lieu of the partnership or joint-stock company, over and above the amount of the coverage to be furnished by the member pursuant to the Regulation respecting the professional liability insurance of certified management accountants of Québec, approved by Order in Council 166-93 dated 10 February 1993, or any other coverage taken out by a member if it is greater, up to the amount of the coverage, any sum that the partnership or joint-stock company may be legally bound to pay to an injured third person on a claim filed during the coverage period and arising from fault on the part of the member in the practice of the profession;

2° an undertaking by the insurer or surety to take up the cause of the partnership or joint-stock company and defend it in any action against it and to pay, in addition to the amounts covered by the coverage, all legal costs of actions against the partnership or joint-stock company, including the costs of the inquiry and defence and interest on the amount of the coverage;

3° coverage of at least \$1,000,000 per claim for all claims filed against the partnership or joint-stock company during a 12-month coverage period;

4° maintenance of coverage for the period set out in paragraph *g* of section 93 of the Professional Code if the member is no longer required to hold professional liability coverage or ceases to be a member of the Order;

5° an undertaking by the insurer or surety to provide the secretary of the Order with a 30-day notice of intent to cancel the insurance or suretyship contract or to amend it with regard to one of the conditions set out in this section;

6° an undertaking by the insurer or surety to provide the secretary of the Order with notice if the insurance or suretyship contract has not been renewed; the notice must be sent within 15 days following the expiry of the contract; and

7° an undertaking by the insurer to notify the Order when it has paid a sum of money by reason of a fault committed by a member practicing within a partnership or joint-stock company, setting out, in particular, the name of the partnership or joint-stock company and of the member involved, the nature of the damage and of the fault, and the sum paid.

11. The suretyship contract must be with a bank, savings and credit union, or trust or insurance company domiciled in Canada, having and maintaining sufficient property in Québec to meet the coverage required under this Division.

The surety must undertake to provide coverage in accordance with the conditions of this Division and to pay, on behalf of the partnership or joint-stock company and waiving the benefit of division and discussion, up to the amount of the suretyship coverage.

DIVISION III ADDITIONAL INFORMATION

12. When a general partnership is continued as a limited liability partnership or when a joint-stock company is constituted, members of the Order must notify their clients, on the date of the continuation or constitution, of the nature and effects of the change of status of the partnership or joint-stock company, in particular with respect to their professional liability and the professional liability of the partnership or joint-stock company.

DIVISION IV ACCESS TO DOCUMENTS

13. The documents that a partnership or joint-stock company may be required to produce pursuant to paragraph 6 of section 5 are the following:

1° if the member practices within a joint-stock company,

a) a complete and up-to-date register of the statutes and by-laws of the joint-stock company ;

b) a complete and up-to-date register of the shares in the joint-stock company;

c) a complete and up-to-date register of the directors of the joint-stock company;

d) a complete and up-to-date register of the shareholders in the joint-stock company;

e) any shareholders' agreement or voting agreement and any amendments;

f) the declaration and certificate of registration of the joint-stock company and any updates;

g) a complete and up-to-date list of the officers of the joint-stock company, with their home addresses;

2° if the member practices within a limited liability partnership:

a) the declaration of registration of the partnership or joint-stock company and any updates;

b) the partnership agreement and any amendments;

c) a complete and up-to-date register of the partners in the partnership;

d) where applicable, a complete and up-to-date register of the directors of the partnership;

e) the names of the principal officers of the partnership with their home addresses.

DIVISION V INCOME

14. Where a member carries on professional activities within a joint-stock company, the income derived from the professional services rendered within and on behalf of the company belongs to the company, unless it has been agreed otherwise.

The determination, billing and receipt of fees is subject to the conditions set out in the Code of ethics of certified management accountants and the member is personally responsible for seeing to their application.

DIVISION VI TRANSITIONAL AND FINAL PROVISIONS

15. A member who practices within a joint-stock company constituted for the purposes of the practice of the profession before the date of coming into force of this Regulation must comply with this Regulation no later than one year following that date.

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

1348

Draft regulation

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

Engineers

- Diplomas giving access to permits
- Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders”, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.21 of the “Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders” to strike out diplomas, to replace the designation of certain diplomas and to add new diplomas issued by certain Québec universities.

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

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre des ingénieurs du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and other bodies concerned.

Further information may be obtained by contacting Céline Martineau, Director, Legal Affairs, Ordre des ingénieurs du Québec, Gare Windsor, 1100, rue De La Gauchetière Ouest, bureau 350, Montréal (Québec) H3B 2S2; telephone: 514 845-6141, extension 3155 or 1 800 461-6141; fax: 514 840-2088.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order as well as to interested persons, departments and bodies.

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders is amended in section 1.21

(1) in paragraph *a*

(*a*) by replacing “ès sciences appliquées (B.Sc.A.)” by “en ingénierie (B.Ing.)”;

(*b*) by inserting “— Baccalauréat coopératif en génie du bois, awarded after 1 April 2002; — Baccalauréat en génie agroenvironnemental;” before “— Baccalauréat en génie chimique”;

(*c*) by inserting “— Baccalauréat en génie des eaux;” after “— Baccalauréat en génie civil;”;

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

(d) by inserting “— Baccalauréat en génie géomatique;” after “— Baccalauréat en génie géologique;”;

(e) by inserting “— Baccalauréat en génie logiciel, awarded after 1 April 2006;” after “— Baccalauréat en génie informatique;”;

(f) by striking out “— Baccalauréat en génie rural;”;

(2) by inserting “— Baccalauréat en génie logiciel;” in paragraph *b* after “— Baccalauréat en génie informatique;”;

(3) by inserting “— Baccalauréat en génie biotechnologique;” in paragraph *c* before “— Baccalauréat en génie chimique;”;

(4) in paragraph *d*

(a) by inserting “— Baccalauréat en génie logiciel;” after “— Baccalauréat en génie électrique;”;

(b) by inserting “— Baccalauréat en génie des opérations et de la logistique;” after “— Baccalauréat en génie mécanique;”;

(c) by inserting “— Baccalauréat en génie des technologies de l’information;” after “— Baccalauréat en génie de la production automatisée;”;

(5) in paragraph *e*

(a) by inserting “— Baccalauréat en génie électrique;” before “— Baccalauréat en génie informatique;”;

(b) by inserting “— Baccalauréat en génie mécanique;” after “— Baccalauréat en génie géologique;”;

(c) by striking out “— Baccalauréat en génie unifié;”;

(d) by adding “— Baccalauréat en ingénierie de l’aluminium;” at the end;

(6) in paragraph *f* by striking out “manufacturier” at the end;

(7) in paragraph *g*

(a) by inserting “— Bachelor of Engineering in Bioresource Engineering;” before “— Bachelor of Engineering in Chemical Engineering;”;

(b) by inserting “— Bachelor of Engineering in Materials Engineering;” after “— Bachelor of Engineering in Electrical Engineering with Honours;”;

(c) by striking out “— Bachelor of Engineering in Metallurgical Engineering;”;

(8) by replacing paragraph *h* by the following:

“(h) Bachelor of Software Engineering (B.S.E.) obtained upon completion of the Bachelor of Software Engineering program of McGill University;”;

(9) by adding “— Bachelor of Engineering in Software Engineering;” at the end of paragraph *i*;

(10) by replacing paragraph *j* by the following:

“(j) diplôme de baccalauréat en ingénierie (B.Ing.) obtained upon completion of one of the following programs of the Université du Québec offered by the Université du Québec à Rimouski:

— Baccalauréat en génie électrique;

— Baccalauréat en génie mécanique;

— Baccalauréat en génie des systèmes électro-mécaniques;”;

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

“(l) diplôme de baccalauréat en ingénierie (B.Ing.), obtained upon completion of the program “Baccalauréat en génie informatique” of the Université du Québec offered by the Université du Québec en Outaouais.”.

2. Paragraphs *a*, *e*, *f*, *g* and *h* of section 1.21 amended by section 1 of this Regulation continue to apply to persons who, on (*insert the date of coming into force of this Regulation*), hold a diploma mentioned in the provision amended or replaced or are registered in a program leading to such a diploma.

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

Draft Regulation

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

Nurses

— **Diplomas giving access to permits**
— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends sections 1.17 and 2.02 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders to add the diplomas giving access to the permit by the Ordre des infirmières et infirmiers du Québec issued by the Université du Québec en Outaouais, the Université du Québec à Trois-Rivières, the Université du Québec à Chicoutimi, Collège Héritage, Cégep Montmorency, Campus Notre-Dame-de-Foy, Cégep André-Laurendeau and Champlain Regional College (Lennoxville and Saint-Lambert-Longueuil campuses).

It also proposes to update the designation of the university-level and college-level diplomas referred to in sections 1.17 and 2.02 of the Regulation.

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

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre des infirmières et infirmiers du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions concerned.

Further information may be obtained by contacting Hélène d'Anjou, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal (Québec) H3Z 1V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147.

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, Jean Paul Dutrisac, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order as well as to interested persons, departments and bodies.

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended by replacing subparagraphs *a* to *c* of the first paragraph of section 1.17 by the following:

a) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from Université Laval;

b) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Montréal;

c) Bachelor of Science (Nursing) (B.Sc.(N.)) awarded upon completion of the Bachelor of Science in Nursing program from McGill University;

d) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université du Québec en Outaouais;

e) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université du Québec à Trois-Rivières;

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

f) Baccalauréat ès sciences (B.Sc.) obtained upon completion of the baccalauréat en sciences infirmières program from the Université du Québec à Chicoutimi.”

2. Section 2.02 is amended

(1) by replacing, in paragraph *a*,

a) “Gaspésie” by “Gaspésie et des Îles”;

b) “Saguenay–Lac-Saint-Jean (Alma, Chicoutimi and Jonquière campuses)” by “Alma, Chicoutimi, Jonquière, St-Félicien”;

c) “Thetford-Mines” by “Thetford”;

d) “Sherbrooke (Granby campus)” by “Granby-Haute-Yamaska”;

e) “Bourchemin (Drummondville, Saint-Hyacinthe and Tracy campuses)” by “Drummondville, Sorel-Tracy, St-Hyacinthe”;

f) “Hull” by “Outaouais”;

g) “Rouyn-Noranda” by “Abitibi-Témiscamingue”;

h) “Côte-Nord (Manicouagan and Mingan campuses)” by “Baie-Comeau, Sept-Îles”;

i) “Séminaire Saint-Georges-de-Beauce” by “Beauce-Appalaches”.

(2) by striking out “Joliette”, “Dawson”, “Vanier” and “and Collège Jean-Marie-Vianney” in paragraph *a*;

(3) by inserting “Montmorency, André-Laurendeau” after “John-Abbot” in paragraph *a*;

(4) by adding “and Dawson College, Collège Héritage, Cégep régional de Lanaudière à Joliette, Vanier College, Champlain Regional College (Lennoxville and Saint-Lambert-Longueuil campuses) and Campus Notre-Dame-de-Foy” at the end of paragraph *a*;

(5) by striking out paragraphs *b*, *c* and *d*.

3. Sections 1.17 and 2.02 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, amended respectively by sections 1 and 2 of this Regulation, remain applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold the diplomas referred to in those sections or are registered in a program leading to such diplomas.

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

1356

Draft Regulation

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

Nurses

— Diplomas which give access to specialist’s certificates

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders”, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.17 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders to add the diplomas which give access to the specialist’s certificate of clinical nurse specializing in infection prevention and control, that is, the Diplôme de 2^e cycle en prévention et contrôle des infections from the Université de Sherbrooke, and the Diplôme d’études supérieures spécialisées (D.E.S.S.) en prévention et contrôle des infections from the Université de Montréal.

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

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre des infirmières et infirmiers du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions concerned.

Further information may be obtained by contacting Hélène d’Anjou, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal (Québec) H3Z 1V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutriscac, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order as well as interested persons, departments and bodies.

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended in section 1.7 by adding the following after subparagraph 4 of the second paragraph:

“(5) specialist's certificate, clinical nurse specializing in infection prevention and control:

(a) Diplôme de 2^e cycle en prévention et contrôle des infections from the Université de Sherbrooke;

(b) Diplôme d'études supérieures spécialisées (D.E.S.S.) en prévention et contrôle des infections from the Université de Montréal.”

2. 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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Draft regulation

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

Nurses

— Specialty class of clinical nurse specializing in infection prevention and control

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 Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control, made by the board of directors of the Ordre des infirmières et infirmiers du Québec, may be submitted to the Government, which may approve it with or without amendment on the expiry of 45 days following this publication.

The draft Regulation defines the specialty class of clinical nurse specializing in infection prevention and control within the profession of nurse.

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

Further information may be obtained by contacting Hélène d'Anjou, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal (Québec) H3Z 1V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-1799; email: helene.danjou@oiq.org

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutriscac, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order as well as interested persons, departments and bodies.

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

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2010, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Regulation respecting the *Ordre des infirmières et infirmiers du Québec* specialty class of clinical nurses specializing in infection prevention and control

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

1. The specialty class of “clinical nurse specializing in infection prevention and control” is defined within the nursing profession.

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

1378

Draft Regulation

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

Occupational therapists — Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders”, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.07 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders that lists the diplomas giving access to the permit of the *Ordre des ergothérapeutes du Québec*. The Baccalauréat ès sciences de la santé (ergothérapie) from Université Laval is replaced by the Maîtrise en ergothérapie (M. Erg.) from Université Laval, since the master’s program will be offered as of fall 2011.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses. The draft Regulation will be submitted to the Office des professions and the Order for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions concerned.

Further information may be obtained by contacting Louise Tremblay, Secretary General, *Ordre des ergothérapeutes du Québec*, 2021, avenue Union, bureau 920, Montréal (Québec) H3A 2S9; telephone: 514 844-5778 or 1 800 265-5778; fax: 514 844-0478.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order as well as to interested persons, departments and bodies.

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders is amended by replacing paragraph *a* of section 1.07 by the following:

“(a) Maîtrise en ergothérapie (M. Erg.) from Université Laval;”.

2. Paragraph *a* of section 1.07, replaced by section 1 of this Regulation, remains applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold the diploma referred to in the paragraph that is replaced or are registered in a program enabling them to obtain such a diploma.

3. 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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* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933) and 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Parliamentary Committees

Committee on Planning and the Public Domain

General consultation

Draft Bill entitled Sustainable Regional and Local Land Use Planning Act

The Committee on Planning and the Public Domain will be holding public hearings beginning May 10, 2011, as part of its general consultation on the Draft Bill, Sustainable Regional and Local Land Use Planning Act. This draft bill is available on the Committee's web page at www.assnat.qc.ca; it may also be obtained by contacting the committee clerk. Any person wishing to voice an opinion on the subject may submit comments on line at www.assnat.qc.ca

Individuals and organizations wishing to express their views during the public hearings must submit a brief to the Committees Secretariat no later than April 25, 2011. Briefs must be on letter-size paper and include a summary of their contents. They may be sent by email (Word or unlocked PDF) or regular mail, or hand delivered at the reception desk of the Committees Secretariat.

Individuals wishing to voice their views during the public hearings without submitting a brief must file a request to that effect with the committee clerk no later than April 25, 2011. The request must include a short statement summarizing the nature of the presentation to be made.

On the basis of these briefs and requests, the Committee decides which individuals and organizations it will hear.

Unless the Committee decides otherwise, briefs will be made public and posted on the Committee's web page, along with any personal information they contain.

Deadlines for submitting briefs and requests are subject to change, as is the opening-date for public hearings. If changes are made, the information will be made public via the National Assembly's website without further notice being published in the newspapers.

Briefs, requests, correspondence and inquiries should be addressed to Ms. Louisette Cameron, Clerk of the Committee on Planning and the Public Domain, Édifice Pamphile-Le May, 1035, rue des parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

Telephone: 418 643-2722 – Fax: 418 643-0248

Email: cat@assnat.qc.ca

Toll-free number: 1-866-337-8837

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Notices

Notice

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

**Boisé-Papineau Nature Reserve
(Conservation de la nature Canada)
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61-01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a new private property which extends of 5,86 hectares. This property, situated on the territory of the Municipality of Ville de Laval, Regional County Municipality of Laval, known and designated as being the lots 1 392 338, 1 392 339 and 1 392 457 of the Québec Land Register, Laval registry division.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

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Notice

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

**Chemin-Saint-Georges Nature Reserve
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61-01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends 10,7 hectares. This property, situated on the territory of the Municipality of Rigaud, Regional County Municipality Vaudreuil-Soulanges, known and designated as being the lot 3 609 656 of the Québec Land Register, Vaudreuil registry division.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

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Notice

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

**Forêt-de-Senneville Nature Reserve
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61-01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends almost of 17 hectares. This property, situated on the territory of the Municipality of Senneville, Communauté métropolitaine de Montréal, known and designated as being the lot 1 976 951 of the Québec Land Register, Montréal registry division.

This recognition takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

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Notice

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

**Réserve écologique de la Tourbière-de-Shannon
— Permanent protection status as an ecological
reserve assigned to a portion of the territory
of the bog forming part of Municipalité de
Shannon in Municipalité régionale de comté
de la Jacques-Cartier**

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council, 246-2011 dated 23 march 2011, assigning permanent ecological reserve status to the Tourbière-de-Shannon ecological reserve, the plan and conservation plan of the reserve being attached to this Order in Council.

DIANE JEAN,
Deputy Minister

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

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