

Gazette
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Part

2

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Laws and Regulations

Volume 143

Summary

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Contents

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- (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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- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Regulations and other Acts

Gouvernement du Québec

O.C. 394-2011, 6 April 2011

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

Labour standards — Amendment

Regulation to amend the Regulation respecting labour standards

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

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

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting labour standards 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 the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

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

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

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards

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

1. The Regulation respecting labour standards (R.R.Q., c. N-1.1, r. 3) is amended in section 3 by replacing “\$9.50” by “\$9.65”.

2. Section 4 is amended by replacing “\$8.25” by “\$8.35”.

3. Section 4.1 is replaced by the following:

4.1. The minimum wage payable to an employee assigned exclusively, during a pay period, to non-mechanized operations relating to the picking of raspberries or strawberries is established on the basis of yield according to the following rules:

(1) for an employee assigned to the picking of raspberries: \$2.84 per kilogram;

(2) for an employee assigned to the picking of strawberries: \$0.75 per kilogram.

However, an employee may not, on an hourly basis and for reasons beyond the employee’s control and linked to the state of the fields or fruit, earn less than the minimum wage rate prescribed in section 3.

This section will cease to have effect on 30 April 2014.”.

4. This Regulation comes into force on 1 May 2011.

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Gouvernement du Québec

O.C. 395-2011, 6 April 2011

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

Clothing industry

— **Labour standards specific to certain sectors**
— **Amendment**

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

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

WHEREAS the Government made the Regulation respecting labour standards specific to certain sectors of the clothing industry (R.R.Q., c. N-1.1, r. 4);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry was published in Part 2 of the *Gazette officielle du Québec* of 29 December 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS the consultations required by the Act were held;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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

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

1. The Regulation respecting labour standards specific to certain sectors of the clothing industry (R.R.Q., N-1.1, r. 4) is amended in section 3 by replacing “\$9.50” by “\$9.65”.

2. This Regulation comes into force on 1 May 2011.

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Gouvernement du Québec

O.C. 396-2011, 6 April 2011

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

Agreement regarding programs financed by the Department of Human Resources and Skills Development
— **Implementation**

Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development

WHEREAS, under section 16 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), a person doing work under a project of any government, whether or not the person is a worker within the meaning of the Act, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission de la santé et de la sécurité du travail and the government, agency or legal person concerned;

WHEREAS the Commission de la santé et de la sécurité du travail and the Department of Human Resources and Skills Development entered into such an agreement to consider as workers the persons participating in programs financed by the Department of Human Resources and Skills Development;

WHEREAS the new agreement was entered into to take into account the provisions relating to the new method of payment of the employer assessment provided for in the Act to amend the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act (2006, c. 53) and the Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment (2009, c. 19), which came into force on 1 January 2011 under Order in Council 1065-2010 dated 1 December 2010;

WHEREAS, under section 170 and subparagraph 39 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission may, by regulation, take the necessary measures for the implementation of such an agreement;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development 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 Commission, with or without amendment, and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission de la santé et de la sécurité du travail made, without amendment, the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development at its meeting of 15 February 2011;

WHEREAS the Regulation replaces the Regulation respecting the implementation of the Agreement regarding the programs of the Canada Employment and Immigration Commission, made by Order in Council 294-97 dated 5 March 1997;

WHEREAS it is expedient to approve the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development, as it appears attached to this Order in Council;

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

THAT the Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Agreement regarding programs financed by the Department of Human Resources and Skills Development

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 170 and s. 223, 1st par., subpar. 39)

1. The Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) applies to persons participating in the programs financed by the Department of Human Resources and Skills Development to the extent and on the conditions provided for in the agreement entered into by the Minister of Human Resources and Skills Development and the Commission de la santé et de la sécurité du travail, appearing in the Schedule.

2. This Regulation replaces the Regulation respecting the implementation of the Agreement regarding the programs of the Canada Employment and Immigration Commission, made by Order in Council 294-97 dated 5 March 1997.

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

SCHEDULE

AGREEMENT CONCERNING WORK PERFORMED BY THE PARTICIPANTS AND MEMBERS OF THE ADMINISTRATIVE PERSONNEL IN PROGRAMS FINANCED BY THE DEPARTMENT OF HUMAN RESOURCES AND SKILLS DEVELOPMENT CANADA (SERVICE CANADA)

BETWEEN

THE DEPARTMENT OF HUMAN RESOURCES AND SKILLS DEVELOPMENT CANADA (SERVICE CANADA)

AND

**THE COMMISSION DE LA SANTÉ ET DE LA
SÉCURITÉ DU TRAVAIL**

**UNDER SECTION 16 OF THE ACT RESPECTING
INDUSTRIAL ACCIDENTS AND OCCUPATIONAL
DISEASES**

December 2010

WHEREAS the Department of Human Resources and Skills Development is established under section 3(1) of the Department of Human Resources and Skills Development Act (S.C. 2005, c. 34);

WHEREAS the Minister holding office has the management and direction of the Department;

WHEREAS under section 10 of the said Act, for the purpose of facilitating the formulation, coordination and implementation of any program or policy relating to the powers, duties and functions conferred by the Act, the Minister may enter into agreements with a province or a provincial public body, financial institutions and other persons or bodies that the Minister considers appropriate;

WHEREAS questions relating to the employment and management of the participants and members of the administrative personnel in programs financed by the Department of Human Resources and Skills Development are managed by the Service Canada division of the Department of Human Resources and Skills Development, hereinafter referred to as HRSDC (SC);

WHEREAS the Commission de la santé et de la sécurité du travail, hereinafter referred to as the Commission, is, under section 138 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), a legal person within the meaning of the Civil Code of Québec and has the general powers of such a legal person and the special powers conferred on it by that Act;

WHEREAS the Commission may, under section 170 of that Act, make agreements with a Government department or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS HRSDC (SC) has requested that the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) apply to the participants and members of the administrative personnel and it intends to assume, for administrative purposes only, the obligations prescribed for employers as regards the statement

of the contributions paid by HRSDC (SC) for the participants and members of the administrative personnel, the payment of the assessments due to the Commission and the imputation of the cost of benefits payable by reason of an employment injury;

WHEREAS, under section 16 of that Act, a person doing work under a project of any government, whether or not the person is a worker, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the government, agency or legal person concerned;

WHEREAS section 16 provides that the second paragraph of section 170 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) applies to such an agreement, meaning that the Commission must make a regulation to make effective an agreement extending benefits arising out of Acts or regulations administered by it;

THEREFORE, THE PARTIES HEREBY AGREE TO THE FOLLOWING:

**CHAPTER 1
ENABLING PROVISIONS**

Enabling provisions

1.1 This Agreement is entered into under section 16 of the Act respecting industrial accidents and occupational diseases, section 10 of the Department of Human Resources and Skills Development Act (S.C. 2005, c. 34) and section 170 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1).

**CHAPTER 2
PURPOSES**

Purposes

2.1 The purposes of this Agreement are to provide, on the conditions and to the extent of the Agreement, for the application of the Act respecting industrial accidents and occupational diseases to the participants and members of the administrative personnel in the programs financed by the Department of Human Resources and Skills Development, and to determine the respective obligations of the parties to this Agreement.

Other purpose

This Agreement also provides for the non-application of the provisions concerning the re-assignment or protective re-assignment of a pregnant or breast-feeding worker in the Act respecting occupational health and safety.

CHAPTER 3 DEFINITIONS

“Commission”

(a) **Commission** means the Commission de la santé et de la sécurité du travail established under section 137 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1);

“contribution”

(b) **contribution** means the contribution paid for a participant or a member of the administrative personnel in the form of, as the case may be,

i. any amount paid by HRSDC (SC) as wages or an allowance;

ii. any unemployment insurance benefits paid for a participant, to which may be added any amount paid as an allowance, where applicable.

This definition excludes additional allowances paid for day-care expenses, transportation costs or any other amount that may not be considered as employment income.

“employment injury”

(c) **employment injury** means an injury or a disease arising out of or in the course of an industrial accident, or an occupational disease, including a recurrence, relapse or aggravation;

“Act”

(d) **Act** means the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001);

“participant”

(e) **participant** means any person registered in a program listed in Schedule I;

“member of the administrative personnel”

(f) **member of the administrative personnel** means any person registered, in particular, in a program listed in Schedule I;

“promoter”

(g) **promoter** means a municipal administration, a Native band council, a health institution, a public educational institution, a business or any other organization that has entered into an agreement with HRSDC (SC) for the purpose of implementing and carrying out a program administered by HRSDC (SC) and covered by this Agreement.

“HRSDC (SC)”

(h) **HRSDC (SC)** means the Service Canada division of the Department of Human Resources and Skills Development, or any other organization that replaces it pursuant to an Act of Parliament;

CHAPTER 4 OBLIGATIONS OF HRSDC (SC)

Employer

4.1 HRSDC (SC) is deemed to be the employer of any participant or any member of the administrative personnel covered by this Agreement, for the sole and exclusive purposes of the statement of the contributions paid by it for the participants or members of the administrative personnel who are registered in the programs subject to this Agreement, the payment of the assessment calculated by the Commission and the imputation of the cost of the benefits paid by the Commission by reason of an employment injury.

Exclusions

It is understood that the participants and members of the administrative personnel covered by this Agreement are neither employees, officers or servants of Her Majesty in right of Canada or of HRSDC (SC) for the purposes of any Act and, in particular, the Crown Liability and Proceedings Act (R.S.C., 1985, c. C-50), nor employees of the State for the purposes of the Government Employees Compensation Act (R.S.C., 1985, c. G-5).

Transportation costs

4.2 HRSDC (SC) assumes the transportation costs referred to in section 190 of the Act where those costs are impossible to recover from the promoter.

Promoter’s obligations

4.3 HRSDC (SC) must inform promoters that they are bound by all the other employers’ obligations provided for in the Act, except for the obligations set out in section 32 pertaining to the dismissal, suspension or transfer of a worker, the practice of discrimination or the taking of reprisals against the worker, sections 179 and 180 concerning temporary assignment and Chapter VII respecting the right to return to work, which do not apply to them.

Other exception

Likewise, Subdivision 4 of Division I of Chapter III of the Act respecting occupational health and safety does not apply to promoters.

Confirmation of participation

4.4 If the Commission so requests, HRSDC (SC) must confirm the name of a participant, member of the administrative personnel or promoter subject to this Agreement.

Payment of assessments

4.5 HRSDC (SC) must pay the assessment calculated by the Commission on the basis of the general rate of the unit corresponding to the economic activities in the “Programme d’aide à la création d’emploi” unit or, should amendments be made after this Agreement is signed, in a unit corresponding to those activities.

Fixed administrative costs

The foregoing also applies to the fixed administrative costs associated with the opening of each financial record.

Periodic payments

For the purposes of this Agreement, HRSDC (SC) is required to make periodic payments in accordance with section 315.1 of the Act.

HRSDC (SC) will make monthly payments for all the programs, except the Aboriginal programs for which the contributions will be added to the payments calculated quarterly.

Minimum

4.6 For assessment purposes, HRSDC (SC) is deemed to pay wages that correspond to the contributions paid by it for the participants or members of the administrative personnel who are registered in a program subject to this Agreement.

Contributions paid

4.7 HRSDC (SC) must send to the Commission, not later than 30 June each year, the final amount of the contributions paid for the participants or members of the administrative personnel registered in a program during the period between 1 April of the preceding year and 31 March of the current year and must pay, where applicable and taking periodic payments into account, any balance on the assessment calculated by the Commission.

Overpayment

The Commission will apply any assessment amount overpaid by HRSDC (SC) to the assessment due for a subsequent year.

Description of programs

4.8 HRSDC (SC) must forward to the Commission, on the coming into force of this Agreement, a description of every program listed in Schedule I.

New program or amendment

Every new program and every subsequent amendment to a program listed in Schedule I must be forwarded so that it may be evaluated and a decision may be made whether to include or to retain it under this Agreement.

CHAPTER 5 OBLIGATIONS OF THE COMMISSION

Worker status

5.1 The Commission considers a participant or member of the administrative personnel who is registered in any of the programs subject to this Agreement to be a worker within the meaning of the Act.

Indemnity

5.2 A participant or a member of the administrative personnel who suffers an employment injury is entitled to an income replacement indemnity from the first day following the beginning of the participant’s or member’s inability to carry on the remunerated employment held at the time the employment injury appears.

If the participant or member of the administrative personnel has no remunerated employment at the time the employment injury appears, the participant or member is entitled, from the first day following the beginning of the inability, to the income replacement indemnity if the participant or member becomes unable, by reason of that injury, to carry on the participant’s or member’s usual employment or, if the participant or member does not carry on such employment usually, the employment that could have been the participant’s or member’s usual employment, considering the participant’s or member’s training, work experience and physical and intellectual capacity before the injury appeared.

Payment

5.3 Despite section 60 of the Act, the Commission pays to the participant or to the member of the administrative personnel the income replacement indemnity to which the participant or member is entitled.

Calculation of the indemnity

5.4 For the purpose of calculating the income replacement indemnity, the gross annual employment income of the participant or member of the administrative personnel is the amount of the contribution paid by HRSDC (SC).

Recurrence, relapse or aggravation

In the event of a recurrence, relapse or aggravation, where the participant or member of the administrative personnel has a remunerated employment, the gross annual income is, for the purpose of calculating the income replacement indemnity, established in accordance with section 70 of the Act. However, if the participant or member is unemployed at the time of the recurrence, relapse or aggravation, the gross annual employment income is that which the participant or member derived from the employment because of or in the course of which the participant or member suffered the employment injury; that gross income is revalorized on 1 January of each year from the date on which the participant or member ceased to hold the employment.

Exception

However, entitlement to an income replacement indemnity and the calculation thereof for a participant or a member of the administrative personnel who is considered to be a worker under this Agreement and who is a full-time student are determined according to sections 79 and 80 of the Act.

Financial records

5.5 The Commission must open a financial record in respect of each program and charge the fixed administrative costs to HRSDC (SC).

Penalties

5.6 The Commission will not impose any penalty on HRSDC (SC) for a delay in filing the statement of the final amount of the contributions paid for the participants or members of the administrative personnel.

CHAPTER 6 MISCELLANEOUS

Monitoring of progress of the agreement

6.1 Within 15 days following the coming into force of this Agreement, both HRSDC (SC) and the Commission will designate a person who will be responsible for monitoring the progress of this Agreement.

Addresses for notices

6.2 Every notice provided for in this Agreement must be sent to the following addresses:

(a) Executive Director, Labour Market and Social Development Programs
Service Canada
200, boulevard René-Lévesque Ouest
Complexe Guy-Favreau
2^e étage, tour Ouest
Montréal (Québec) H2Z 1X4

(b) Le Secrétaire de la Commission
Commission de la santé et de la sécurité du travail
1199, rue De Bleury, 14^e étage
Montréal (Québec) H3C 4E1

CHAPTER 7 TAKING OF EFFECT, TERM AND AMENDMENT

Taking of effect

7.1 This Agreement takes effect on the date of coming into force of the regulation made for that purpose by the Commission under section 170 of the Act respecting occupational health and safety.

Term

7.2 The Agreement remains in effect until 31 March 2012.

Tacit renewal

7.3 It will subsequently be renewed tacitly for successive 12-month periods, unless one of the parties sends to the other party, by registered or certified mail, at least 90 days before the term expires, a notice in writing to the effect that it intends to terminate the Agreement or make amendments thereto.

Amendments

7.4 In the latter case, the notice must contain the amendments that the party wishes to make.

Renewal

7.5 The sending of the notice provided for in section 7.4 does not preclude the tacit renewal of this Agreement for a period of one (1) year. If the parties do not agree on the amendments to be made to the Agreement, the Agreement will be terminated, without further notice, at the expiry of that period.

CHAPTER 8 CANCELLATION OF THE AGREEMENT

Non-compliance

8.1 If HRSDC (SC) fails to comply with any of its obligations, the Commission may send a notice in writing to request that HRSDC (SC) remedy that failure within a period fixed by the Commission. If the failure is not remedied within the period fixed, the Commission may cancel this Agreement unilaterally by giving notice in writing.

Date

8.2 The Agreement is then cancelled on the date on which the notice of cancellation provided for in section 8.1 is sent.

Financial adjustments

8.3 In the event of a cancellation, the Commission will make financial adjustments on the basis of the amounts payable under this Agreement.

Sum due

8.4 Any sum due after such financial adjustments have been made is payable on the due date appearing on the notice of assessment.

Mutual agreement

8.5 The parties may, by mutual agreement, cancel this Agreement at any time.

Damages

8.6 In the event of cancellation, neither party is required to pay damages, interest or any other form of indemnity or charges to the other party.

CHAPTER 9 TRANSITIONAL PROVISION

Despite section 4.5 above, HRSDC (SC) is not required to make periodic payments for the period from 1 January to 31 March 2011.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED

At _____, on the _____ At _____, on the _____
() day of _____2010. () day of _____2010.

DENIS BOULANNE,
*Executive Head Service
Management
Department of Human
Resources and Skills
Development Canada
(Service Canada)*

LUC MEUNIER,
*Chair of the board of
directors and Chief
Executive Officer,
Commission de la santé
et de la sécurité du travail*

SCHEDULE I

LIST OF PROGRAMS SUBJECT TO THE AGREEMENT

Youth Employment Strategy:

(a) “Canada Summer Jobs”:
participants from not-for-profit organizations only;

(b) “Skills Link”:
administrative personnel and participants
except participants for work experience in the following
two components:
– Employability Skills through Work Experience;
– Work Experience;

(c) “Career Focus”:
administrative personnel only;

Aboriginal strategy:

(a) “Assembly of First Nations of Québec and Labrador”:
– administrative personnel and participants in the following two components:
– On-the-job skills development;
– Improving employability in the workplace;

(b) “Algonquin Nation Human Resources and Sustainable Development Secretariat”:
– Vocational integration - participants only;
– Job creation – administrative personnel and participants.

M.O., 2011**Order number 2011-04 of the Minister
of Transport dated 31 March 2011**

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

Designation of a toll road infrastructure operated
under a public-private partnership agreement

THE MINISTER OF TRANSPORT,

CONSIDERING subparagraph 1 of the first paragraph
of section 12 of the Act respecting transport infrastruc-
ture partnerships (R.S.Q., c. P-9.001) which provides
that a partner may, subject to the regulations made under
subparagraph 1 of the first paragraph and the second
paragraph of section 11, establish, collect and enforce
payment of tolls with respect to the operation of any
road vehicle or class of road vehicle on a road infra-
structure designated by the Minister of Transport;

CONSIDERING that it is expedient to designate a road
infrastructure;

ORDERS AS FOLLOWS:

1. Bridge P-15020 on autoroute 25 crossing the rivière
des Prairies is designated as a toll road infrastructure.

2. This Order comes into force on 1 May 2011.

SAM HAMAD,
Minister of Transport

1383

Draft Regulations

Draft Regulation

An Act respecting financial assistance
for education expenses
(R.S.Q., c. A-13.3)

Financial assistance for education expenses — 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 financial assistance for education expenses, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the processing of child support under the financial assistance for education expenses.

In accordance with the commitments made within the framework of the 2010-2015 Government Action Plan for Solidarity and Social Inclusion, the draft Regulation provides to exclude from income received by students the amounts received as support, up to \$1,200 per year, per student's child.

The amendment will also allow better consistency with the processing that is made of child support under the last resort assistance programs of the Ministère de l'Emploi et de la Solidarité sociale.

Further information may be obtained by contacting Odette Voyer, Interim Department Head, Service de la planification des programmes, Aide financière aux études, Ministère de l'Éducation, du Loisir et du Sport, 1035, rue De La Chevrotière, 20^e étage, Québec (Québec) G1R 5A5; telephone: 418 643-6276, extension 6058.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Education, Recreation and Sports, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

LINE BEAUCHAMP,
Minister of Education, Recreation and Sports

Regulation to amend the Regulation respecting financial assistance for education expenses

An Act respecting financial assistance
for education expenses
(R.S.Q., c. A-13.3, s. 57)

1. The Regulation respecting financial assistance for education expenses (c. A-13.3, r. 1) is amended by replacing paragraph 6 in Schedule II by the following:

“(6) amounts received as support, paid for the student or the student's child, as well as other monetary benefits or benefits to which a monetary value may be assigned, except compensatory allowances, received as a result of a de facto separation agreement, a judgment granting separation as to bed and board or a divorce judgment. Despite the foregoing, only the amounts received as support in excess of \$1,200 per year of allocation or, if the student has more than one child, in excess of the amount obtained by multiplying \$1,200 by the number of children are considered;”

2. This Regulation applies as of the 2011-2012 year of allocation.

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

1380

Treasury Board

Gouvernement du Québec

T.B. 210068, 29 March 2011

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

Regulation

— Amendment

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 4.2 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), amended by section 15 of chapter 29 of the Statutes of 2010, the Government may, by regulation, establish, for the purposes of sections 25, 115.1, 115.10.1 and 115.10.4 of the Act, the tariff applicable to the payment of the redemption cost, which may vary according to the employee's age, the reason for the absence, the year of service covered by the redemption and the date of receipt of the application, and prescribe, in addition to a minimum cost for the purposes of section 25 of the Act, the terms and conditions governing the application of the tariff and the rules for determining the pensionable salary for the purposes provided for in those sections;

WHEREAS, under subparagraph 9.1 of the first paragraph of section 134, the Government may, by regulation, establish, for the purposes of section 73.4 of the Act, the limits applicable to a pension amount added under sections 73.1 and 73.2 of the Act and the manner in which an amount that exceeds the limits is to be adjusted;

WHEREAS, under subparagraph 22.2 of the first paragraph of section 134, the Government may, by regulation, establish, for the purposes of section 216.2 of the Act, the limit applicable to the pensionable salary and the limit applicable to the service credited, the rules and procedures for computing the pension, and the conditions governing the application of those limits, rules and procedures;

WHEREAS, under paragraph 3 of section 36 of chapter 29 of the Statutes of 2010, the first regulation made after 2 December 2010 under, in particular, subparagraphs 9.1 and 22.2 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, may have effect from any date not prior to 1 January 2011;

WHEREAS, under the first paragraph of section 134, the Government exercises the regulatory powers provided for therein after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act;

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

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the pension committee has been consulted;

WHEREAS the Minister of Finance has been consulted;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached hereto, is made.

GEORGES BOULET,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

An Act respecting the Government and
Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpars. 4.2, 9.1 and 22.2; 2010, c. 29, s. 36)

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10, r. 2) is amended by replacing “and 115.10.1” in section 8.3 by “, 115.10.1 and 115.10.4”.

2. Section 8.5 is amended by replacing “third paragraph of section 115.1 and the third paragraph of section 115.10.1” by “third paragraphs of sections 115.1, 115.10.1 and 115.10.4”.

3. Section 12.5 is amended by replacing “35” in the definition of the factor NL in the second paragraph by “the number resulting from 35 plus the number of the employee’s years of service used to calculate the pension and served after 31 December 2010, without exceeding 38,”.

4. Section 46.2 is amended by adding the following at the end of the last paragraph: “, up to a maximum of 35 years of service”.

5. Schedule 0.1 is amended

(1) by replacing the table in section 1 by the following:

“

Age of the employee on the date the application for redemption is received	Period of service covered by the redemption		
	Prior to 1 July 1982	After 30 June 1982 and prior to 1 January 2000	After 31 December 1999
18	8.8%	7.1%	7.5%
19	9.0%	7.2%	7.7%
20	9.2%	7.4%	7.9%
21	9.4%	7.5%	8.0%
22	9.5%	7.6%	8.2%
23	9.7%	7.8%	8.3%
24	9.9%	7.9%	8.5%
25	10.2%	8.1%	8.7%
26	10.4%	8.3%	8.9%
27	10.7%	8.5%	9.2%
28	11.0%	8.7%	9.4%
29	11.2%	8.9%	9.5%
30	11.3%	9.0%	9.7%
31	11.5%	9.1%	9.8%
32	11.5%	9.1%	9.8%
33	11.6%	9.2%	9.9%
34	11.8%	9.3%	10.0%
35	12.0%	9.5%	10.2%

36	12.2%	9.7%	10.4%
37	12.5%	9.9%	10.7%
38	12.8%	10.1%	11.0%
39	13.2%	10.4%	11.3%
40	13.5%	10.7%	11.5%
41	13.8%	10.9%	11.8%
42	14.1%	11.2%	12.0%
43	14.4%	11.4%	12.3%
44	14.6%	11.6%	12.5%
45	14.9%	11.8%	12.8%
46	15.3%	12.2%	13.1%
47	15.9%	12.6%	13.6%
48	16.5%	13.1%	14.1%
49	17.2%	13.6%	14.7%
50	17.9%	14.2%	15.4%
51	18.7%	14.9%	16.1%
52	19.4%	15.5%	16.7%
53	20.1%	16.0%	17.4%
54	20.5%	16.4%	17.8%
55	20.8%	16.7%	18.1%
56	21.2%	17.1%	18.5%
57	21.5%	17.4%	18.8%
58	21.7%	17.6%	19.1%
59	21.8%	17.8%	19.2%
60	21.4%	17.5%	18.9%
61	21.0%	17.3%	18.6%
62	20.5%	17.0%	18.3%
63	20.1%	16.8%	18.0%
64	19.7%	16.5%	17.7%
65	19.3%	16.2%	17.4%
66	18.9%	16.0%	17.1%
67	18.4%	15.7%	16.7%
68	18.0%	15.5%	16.4%
69	17.6%	15.2%	16.1%

Despite the foregoing, in the case of a period of absence referred to in paragraph *a* that began after 31 December 2007, the tariff may not be less than 200% of the contributions that would have been paid during that period.”;

(2) by replacing the table in section 2 by the following:

“

Age of the employee on the date the application for redemption is received	Period of service covered by the redemption		
	Prior to 1 July 1982	After 30 June 1982 and prior to 1 January 2000	After 31 December 1999
18	4,40%	3,55%	3,75%
19	4,50%	3,60%	3,85%
20	4,60%	3,70%	3,95%
21	4,70%	3,75%	4,00%
22	4,75%	3,80%	4,10%
23	4,85%	3,90%	4,15%
24	4,95%	3,95%	4,25%
25	5,10%	4,05%	4,35%
26	5,20%	4,15%	4,45%
27	5,35%	4,25%	4,60%
28	5,50%	4,35%	4,70%
29	5,60%	4,45%	4,75%
30	5,65%	4,50%	4,85%
31	5,75%	4,55%	4,90%
32	5,75%	4,55%	4,90%
33	5,80%	4,60%	4,95%
34	5,90%	4,65%	5,00%
35	6,00%	4,75%	5,10%
36	6,10%	4,85%	5,20%
37	6,25%	4,95%	5,35%
38	6,40%	5,05%	5,50%
39	6,60%	5,20%	5,65%

40	6,75%	5,35%	5,75%
41	6,90%	5,45%	5,90%
42	7,05%	5,60%	6,00%
43	7,20%	5,70%	6,15%
44	7,30%	5,80%	6,25%
45	7,45%	5,90%	6,40%
46	7,65%	6,10%	6,55%
47	7,95%	6,30%	6,80%
48	8,25%	6,55%	7,05%
49	8,60%	6,80%	7,35%
50	8,95%	7,10%	7,70%
51	9,35%	7,45%	8,05%
52	9,70%	7,75%	8,35%
53	10,05%	8,00%	8,70%
54	10,25%	8,20%	8,90%
55	10,40%	8,35%	9,05%
56	10,60%	8,55%	9,25%
57	10,75%	8,70%	9,40%
58	10,85%	8,80%	9,55%
59	10,90%	8,90%	9,60%
60	10,70%	8,75%	9,45%
61	10,50%	8,65%	9,30%
62	10,25%	8,50%	9,15%
63	10,05%	8,40%	9,00%
64	9,85%	8,25%	8,85%
65	9,65%	8,10%	8,70%
66	9,45%	8,00%	8,55%
67	9,20%	7,85%	8,35%
68	9,00%	7,75%	8,20%
69	8,80%	7,60%	8,05%

”;

(3) by replacing the table in section 3 by the following:

“

Age of the employee on the date the application for redemption is received	Period of service covered by the redemption	
	Prior to 1 July 1982	After 30 June 1982
18	3,67%	3,55%
19	3,75%	3,60%
20	3,83%	3,70%
21	3,92%	3,75%
22	3,96%	3,80%
23	4,04%	3,90%
24	4,13%	3,95%
25	4,25%	4,05%
26	4,33%	4,15%
27	4,46%	4,25%
28	4,58%	4,35%
29	4,67%	4,45%
30	4,71%	4,50%
31	4,79%	4,55%
32	4,79%	4,55%
33	4,83%	4,60%
34	4,92%	4,65%
35	5,00%	4,75%
36	5,08%	4,85%
37	5,21%	4,95%
38	5,33%	5,05%
39	5,50%	5,20%
40	5,63%	5,35%
41	5,75%	5,45%
42	5,88%	5,60%
43	6,00%	5,70%
44	6,08%	5,80%
45	6,21%	5,90%

46	6,38%	6,10%
47	6,63%	6,30%
48	6,88%	6,55%
49	7,17%	6,80%
50	7,46%	7,10%
51	7,79%	7,45%
52	8,08%	7,75%
53	8,38%	8,00%
54	8,54%	8,20%
55	8,67%	8,35%
56	8,83%	8,55%
57	8,96%	8,70%
58	9,04%	8,80%
59	9,08%	8,90%
60	8,92%	8,75%
61	8,75%	8,65%
62	8,54%	8,50%
63	8,38%	8,40%
64	8,21%	8,25%
65	8,04%	8,10%
66	7,88%	8,00%
67	7,67%	7,85%
68	7,50%	7,75%
69	7,33%	7,60%

”;

(4) by adding the following at the end:

“5-The tariff applicable to pay the cost of redemption of service under section 115.10.4 of the Act is the tariff appearing in the table in section 1 of this Schedule.”

6. Sections 3 and 4 have effect since 1 January 2011.

7. This Regulation comes into force on 1 April 2011, except section 1 and 2 and paragraph 4 of section 5, which will come into force on 1 July 2011.

Notices

Notice

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

P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee Schedule

In compliance with Article 5 of the Regulations for toll roads operated under a public-private partnership agreement, Concession A25 S.E.C. publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective by May 1st, 2011, on the P-15020 Bridge of Highway 25 that spans the Rivière des Prairies. Any modification to the schedule will be subjected to a new publication in the *Gazette officielle du Québec*.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
SOUTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
NORTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
Category A, rate per axle	\$ 80.00		\$ 80.00		\$ 80.00		\$ 80.00				\$ 80.00				80.00 \$	
Category B, rate per axle	\$ 1.20		\$ 0.90		\$ 1.20		\$ 0.90				\$ 0.90				\$ 0.90	
Category C, rate per axle	\$ 2.40		\$ 1.80		\$ 2.40		\$ 1.80				\$ 1.80				\$ 1.80	

PHAM: Peak Hour - Morning
OPHD: Off Peak Hour - Daytime
PHPM: Peak Hour - Evening
OPHN: Off Peak Hour - Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any outsized vehicle according to Article 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Category A with a height less than 230 cm
Category C	Any road vehicle not covered by Category A with a height equal to or greater than 230 cm

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING TRANSPONDER *				
●	Administrative fees for a customer account using the automatic replenishment method	\$ 1.00	\$ 1.00	\$ 1.00
●	Administrative fees for a customer account using the manual replenishment method	\$ 2.50	\$ 2.50	\$ 2.50
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING BUT NOT EQUIPPED WITH A TRANSPONDER *				
●	Collection fees for every transit on the A25 Bridge in addition to all toll charges incurred for the vehicle transit	\$ 3.00	\$ 3.00	\$ 3.00

* Fees that apply to any transit of a vehicle registered to a customer account that is not in good standing are the same fees that apply to any transit of a vehicle that is not registered to a customer account

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
ADMINISTRATIVE FEES FOR ANY TRANSIT OF A VEHICLE UNREGISTERED TO A CUSTOMER ACCOUNT				
●	Administrative fees for the collection of toll charges (first payment request) for every transit on the A25 Bridge, in addition to all toll charges incurred for the vehicle transit	\$ 5.00	\$ 5.00	\$ 5.00
COLLECTION FEES FOR ANY TRANSIT OF A ROAD VEHICLE REGISTERED OUTSIDE THE PROVINCE OF QUEBEC				
●	Collections fees for the toll charges and administrative fees for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle	\$ 35.00	\$ 35.00	\$ 35.00

INTEREST RATE				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Interest rate of 2% per month, compounded monthly **		

** This monthly interest rate cannot exceed the per diem rate for Canadian bankers' acceptance of a month quoted on CDOR page of Reuter's Monitor Service by 10 AM on the date on which the amount becomes payable bearing interest for the first time, which is increased by 4%, in which case the latter rate applies.

DANIEL TOUTANT, *eng., M. eng., FSCGC*,
President and Chief Executive Officer of Concession A25 S.E.C.

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

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