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Contents

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- (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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Coming into force of Acts

Gouvernement du Québec

O.C. 467-2011, 4 May 2011

**An Act to amend various legislative provisions concerning health (2009, c. 45)
— Coming into force of sections 4, 6, 39 and 43 of the Act**

COMING INTO FORCE of sections 4, 6, 39 and 43 of the Act to amend various legislative provisions concerning health (2009, c. 45)

WHEREAS the Act to amend various legislative provisions concerning health (2009, c. 45) was assented to on 19 November 2009;

WHEREAS, under section 53 of the Act, the provisions of the Act came into force on 19 November 2009, except sections 4, 6, 39 and 43, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of sections 4, 6, 39 and 43 of the Act to amend various legislative provisions concerning health;

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

THAT 31 May 2011 be set as the date of coming into force of sections 4, 6, 39 and 43 of the Act to amend various legislative provisions concerning health (2009, c. 45).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulations and other Acts

Gouvernement du Québec

O.C. 468-2011, 4 May 2011

An Act respecting Héma-Québec and the haemovigilance committee (R.S.Q., c. H-1.1)

Héma-Québec — Conditions for compensation to victims of a product

Regulation respecting the conditions for compensation to victims of a Héma-Québec product

WHEREAS, under section 54.11 of the Act respecting Héma-Québec and the haemovigilance committee (R.S.Q., c. H-1.1), introduced by section 4 of chapter 45 of the Statutes of 2009, the Government must, by regulation, determine the conditions that must be met by a person claiming compensation and determine which adverse effects are not bodily injuries;

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 conditions for compensation to victims of a Héma-Québec product 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 45-day period has expired and no comments were made following that publication;

WHEREAS, under section 17 of that Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made or approved;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting the conditions for compensation to victims of a Héma-Québec product, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the conditions for compensation to victims of a Héma-Québec product

An Act respecting Héma-Québec and the haemovigilance committee (R.S.Q., c. H-1.1, s. 54.11; 2009, c. 45, s. 4)

1. For the purposes of section 54.1 of the Act, the following immunological and hemodynamic reactions, associated with the normal constituents of blood products in relation to the standards in force when a Héma-Québec product is administered, are adverse effects not constituting a bodily injury:

- haemolytic reaction;
- allergic reaction;
- anaphylactic reaction;
- febrile non-haemolytic transfusion reaction;
- circulatory overload;
- graft disease against the secondary host following transfusion or graft;
- transfusion-related acute lung injury (TRALI);
- post-transfusion hypertensive or hypotensive reactions;
- post-transfusion alloimmune thrombocytopenia or neutropenia;
- erythrodermia;
- hemochromatosis;
- transient transfusion-related acute dyspnea;
- cephalgia;
- aseptic meningitis;
- vagal shock;
- post-transfusion purpura;
- development of irregular antibodies;

- post-transfusion thrombotic and vascular events;
- complications associated with a massive transfusion, such as metabolic acidosis, hypocalcemia, hypomagnesemia and hyperkalemia,

2. A person claiming compensation under the compensation plan for victims of a Héma-Québec product must apply to the Minister of Health and Social Services by means of a written declaration indicating

(1) the name, date of birth and address of the victim who suffered the bodily injury, as well as the victim's health insurance number;

(2) the person's name, address and quality, if acting as the victim's representative or as a person entitled to a death benefit;

(3) the name or nature of the Héma-Québec product giving rise to the application, the place and date of the medical act, and the name of the person who performed the medical act, if known to the applicant;

(4) the date of the first manifestation of symptoms of the bodily injury suffered by the victim;

(5) the date of the victim's death in the case of an application for a death benefit.

3. The applicant must sign the declaration which must be accompanied by a medical certificate stating the bodily injury suffered by the victim and assessing the causal link between the bodily injury and the product received by the victim and distributed by Héma-Québec.

Where the applicant is acting as the representative of the victim, the applicant must also attach to the declaration proof of his or her right to act in that capacity.

In the case of an application for a death benefit, the applicant must also attach to the declaration the death certificate and proof of status as a person entitled to a death benefit.

4. Upon request by the Minister or, as the case may be, the public body to which the Minister entrusted the management of this compensation plan under section 54.10 of the Act, the applicant must also provide the particulars required under the Automobile Insurance Act (R.S.Q., c. A-25) and its regulations for the purposes of calculation of the compensation.

If the applicant fails to provide those particulars, the applicant must give the Minister or public body, as the case may, the authorization necessary to obtain the particulars from third persons concerned.

5. Upon request by the Minister or the public body, as the case may be, the applicant must furnish proof of any fact establishing entitlement to compensation.

The Minister or public body may accept any form of proof that the Minister or public body considers useful for the purposes of justice.

The Minister or public body may also require the submission of any document the Minister or public body considers necessary.

6. An application for compensation is duly filed with the Minister if it is filed at one of the Minister's offices in Québec or Montréal or is mailed to one of those offices within the time prescribed by section 54.4 of the Act.

7. Upon receipt of an application for compensation, the Minister sends an acknowledgment of receipt to the applicant.

8. An application for compensation may be withdrawn or amended at any time by means of a notice in writing signed by the applicant.

9. Any application submitted under this Regulation is examined by an evaluation committee made up of 3 physicians on the roll of the Collège des médecins du Québec, except in the cases referred to in the second and third paragraphs of section 20.

The committee consists of a physician appointed by the Minister and of a physician appointed by the applicant; it is chaired by a third physician appointed by the first two.

Where a member of the committee is absent or unable to act before the committee has made its recommendations to the Minister, the member is replaced as soon as possible in the manner provided for in the second paragraph.

10. The Minister assumes the cost of the services rendered by the members of the evaluation committee and by any person added to the committee when required, and the cost of any services rendered by any expert physician consulted by the committee.

11. The evaluation committee's functions are

(1) to examine the cases submitted to it and assess the bodily injury suffered in each case;

(2) to evaluate if there is a probable causal link between the bodily injury suffered by the victim and the Héma-Québec product;

(3) to evaluate, with the assistance of the Société de l'assurance automobile du Québec, the compensation, if any, to be paid pursuant to the Automobile Insurance Act and its regulations; and

(4) to make recommendations to the Minister on the matters referred to in paragraphs 1 to 3.

12. The evaluation committee or one of its members may examine the victim.

Such examination must be performed taking into consideration the victim's clinical history, including

- (1) a statement of relevant antecedents;
- (2) physical and mental disorders and their development;
- (3) intercurrent difficulties and illnesses; and
- (4) drug history.

The examination must also include a physical examination with particular emphasis on the system affected by the medical act that gave rise to the bodily injury.

13. From indications obtained by examination of the victim and from any other relevant indication, the evaluation committee or the committee member who performed the examination must

- (1) make a diagnosis; and
- (2) determine the disability and the non-pecuniary damage suffered by the victim, having regard to the provisions of the Automobile Insurance Act pursuant to which the victim could be paid compensation.

The committee or the committee member must also mention any special consideration that could affect the victim's disability and the nature and duration of any proposed treatment.

14. Where the victim's disability cannot be determined in a definitive manner, a provisional determination must be made. In such case, the evaluation committee sets a date when it will meet again to make a final recommendation on the application.

Sections 10 to 13 and 16 to 21 apply in such a case, with the necessary modifications.

No reimbursement may be claimed by virtue of the fact that the definitive disability of the victim is less than his or her provisional disability.

15. Sections 11 to 13 do not apply to an application for a death benefit.

16. The evaluation committee may ask Héma-Québec any information necessary for the carrying out of its mandate. Héma-Québec must cooperate with the committee to that end.

17. The evaluation committee must, in addition, request the opinion of an expert physician where, in the opinion of a member of the committee, the opinion is required for medical evaluation of the victim or to establish the probability of the causal link between the bodily injury suffered and the Héma-Québec product.

18. The evaluation committee must give the victim or applicant the opportunity to provide all relevant information or documents to complete his or her file.

19. The recommendations of the evaluation committee must be adopted by a majority vote and reasons must be given.

Any dissenting member may attach his or her own recommendations and reasons to the majority recommendations.

The evaluation committee then sends all the recommendations to the Minister so that the latter may take cognizance of them.

20. The Minister renders a decision in writing, after examining the recommendations of the committee and of any dissenting member.

Despite the foregoing, where an application appears, however, on its face, to be prescribed or inadmissible for a reason other than a reason of a medical nature, the Minister may render a decision without the application having been examined by an evaluation committee.

The same applies where the Minister must render a new decision or an additional decision on a case and the decision does not involve any reason of a medical nature.

21. The Minister sends the decision to the applicant by mail and sends a copy to the members of the committee.

The decision has effect from the date of its notification.

22. Any compensation unpaid at the time of the victim's death is to be paid to the victim's successors.

23. Where the prescription period provided for in section 54.4 of the Act expires on a day on which the Minister's offices are close, the time period is extended to the next working day, and the application for compensation may be validly made on that day.

24. No proceeding under this Regulation may be considered void and disallowed for defect of form or procedural irregularity.

25. If there is an interruption in postal service, the Minister may accept or use any other method of filing or service.

26. This Regulation comes into force on 31 May 2011.

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Gouvernement du Québec

O.C. 470-2011, 4 May 2011

Health Insurance Act
(R.S.Q., c. A-29)

Insured visual aids
— **Amendment**

Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act

WHEREAS, under subparagraph *h.1* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Board or upon its recommendation, make regulations to determine the visual deficiencies, the services and the sets or subsets of visual aids that must be considered to be insured services for the purposes of the sixth paragraph of section 3 of that Act, fix the age of the insured persons referred to therein and determine classes of insured persons, determine the cost reimbursed by the Board to an institution recognized by the Minister in respect of an insured person with a visual deficiency and the cases and conditions in and on which the Board reimburses the cost of the insured services and in and on which the services are furnished, and prescribe the cases and conditions in and on which such visual aids may or must be recovered;

WHEREAS the Government made the Regulation respecting visual aids insured under the Health Insurance Act by Order in Council 1403-96 dated 13 November 1996;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance maladie du Québec has been consulted with respect to the amendments;

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 visual aids insured under the Health Insurance Act 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 it is expedient to make the Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act;

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

THAT the Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting visual aids insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 6th and 9th pars., and s. 69, 1st par., subpar. *h.1*)

1. The Regulation respecting visual aids insured under the Health Insurance Act is amended by replacing its title by “Regulation respecting insured visual aids and related services”.

2. The following is inserted before section 1:

“CHAPTER I GENERAL

0.1. In this Regulation, the word “tariff” refers to the Tariff for insured visual aids and related services, made by the Régie de l'assurance maladie du Québec under section 72.1 of the Health Insurance Act (R.S.Q., c. A-29).”

* The Regulation respecting visual aids insured under the Health Insurance Act, made by Order in Council 1403-96 dated 13 November 1996 (1996, *G.O.* 2, 4725), was last amended by the regulation made by resolution No. C.A.410-04-11 dated 18 May 2004 of the Régie de l'assurance maladie du Québec (2004, *G.O.* 2, 1645). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

3. Section 2 is replaced by the following:

“2. A person who is insured within the meaning of the Health Insurance Act and who has a visual deficiency such as to render the person permanently incapable of reading, writing, moving about in an unfamiliar environment, or carrying on activities related to the person’s lifestyle or social roles, is a person having a visual deficiency.

For the purposes of the first paragraph, visual deficiency is characterized, for each eye, after correction by means of ophthalmic lenses, excluding special optic systems and additions greater than 4 diopters, by one of the following conditions:

- (1) a visual acuity of less than 6/21;
- (2) a visual acuity equal to or less than 6/18 for persons who suffer from a degenerative visual problem, a motor, hearing or speech physical deficiency, or an intellectual deficiency;
- (3) a continuous visual field of less than 60°, including the central fixation point measured horizontally or vertically;
- (4) complete hemianopia.

2.1. A person who has a visual deficiency that, after correction by means of ophthalmic lenses, excluding special optic systems and additions greater than 4 diopters, leaves each eye with a visual acuity equal to or less than 6/120 or with a continuous visual field of less than 10°, including the central fixation point, measured horizontally or vertically, and that, in either cases, renders the person incapable of making functional use of the visual aids of the print magnification method of communication, is functionally blind.

Despite the foregoing, a person who has fluctuating vision, a defective field of vision or sensitivity to contrast, or a degenerative eye pathology is deemed to be functionally blind if that vision, defect or pathology renders the person incapable of making functional use of the visual aids of the print magnification method of communication.

2.2. A functionally blind person who uses braille and who, by reason of a hearing deficiency, cannot resort to any sound aid to carry on daily activities is a person who suffers from deafblindness.”

4. The Regulation is amended by replacing “CHAPTER I” after section 3 by “CHAPTER II”.**5.** Section 5 is amended

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

“Subject to the conditions set out in this Regulation and provided they are subject to a tariff, visual aids falling in any of the groups or sub-groups of aids listed respectively by category and by type in Schedule I, as well as their components and supplements, are insured.”;

- (2) by inserting “indicated in the Tariff” in the second paragraph after “price”, by inserting the parenthesis “(special consideration)” in the second paragraph after “S. C.”, by replacing “visual deficiency, the visually handicapped person” in the second paragraph by “intellectual deficiency, he or she” and by inserting the following words and sentence at the end: “of the Tariff. A physical deficiency includes a motor, hearing or speech deficiency.”;

- (3) by inserting “in the Tariff” in the third paragraph after “list” and by striking out “of subparagraph 2” after “requirements”.

6. Section 6 is revoked.**7.** The following is inserted after section 6:

“**6.1.** A visual aid is insured only if the following conditions are met:

- (1) the visual aid is loaned to the person with a visual deficiency to meet actual functional needs, taking into account the person’s lifestyle and social roles, insofar as no other means can meet those needs;

- (2) after training, the person is capable of using the visual aid in a functional and efficient manner.

The person’s functional needs and the visual aid’s functional and efficient use are evaluated by a team specializing in rehabilitation in a recognized institution.

For the time of the training, the visual aid used for the purposes of the training referred to in subparagraph 2 of the first paragraph is also insured, if the training may be provided only in the environment of the person with a visual deficiency.

6.2. From among the visual aids that may meet a same need, only the more affordable aid is insured.

6.3. Where a loaned visual aid accessorially meets a need other than the need for which the aid is mainly intended, only that aid is insured to meet that other need.

6.4. A new visual aid is insured only if no similar recovered visual aid is available when the visual aid is loaned.

6.5. A visual aid must be recovered by the recognized loaning institution if its use is no longer required by reason of changes in the functional needs of the person to whom the visual aid was loaned, or because the person is no longer using it or is deceased. In that respect, the recognized institution must ensure each year that the loaned visual aid is used by the person to whom it was loaned and that the loan remains justified and in compliance with this Regulation. The institution must also repair, or cause to be repaired, the visual aid as soon as it is recovered so that it is available for another loan.

A visual aid thus recovered may be loaned again as an insured visual aid, and the person to whom the aid is loaned may not choose instead a new visual aid.

6.6. The visual aids listed in Part II of Schedule I are insured only if no aid in Part I makes it possible to effectively make up for the disability of a person with a visual deficiency.

6.7. Only one visual aid of any one type is insured in respect of any one person with a visual deficiency.”

8. Section 10 is amended

(1) by inserting “or by a visual aid program under the responsibility of the Minister of Health and Social Services before 1 February 2011” in the first paragraph after “Board” and by replacing “in Part III of Chapter V” in the same paragraph by “in the Tariff”;

(2) by replacing the second paragraph by the following:

“The repair of an uninsured visual aid at the disposal of a person with a visual deficiency is also insured, if the aid is similar in function and price to an aid appearing in the Tariff, provided that the person is entitled to such aid at the time of repair.”;

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

“The levelling of a computer aid listed in Part II of Schedule I is deemed to be a repair, provided that the aid meets a need arising out of the visual deficiency of the insured person.

Despite the foregoing, where the cost for repairing a visual aid, a component or a supplement, added to the cost of previous repairs, exceeds 70% of the cost of replacing the aid, component or supplement by a new one, only the replacement of the aid, component or

supplement is insured, unless the visual aid needing repair is the only one that can meet the needs of the person with a visual deficiency.”

9. Section 11 is revoked.

10. Chapter II is replaced by the following:

**“CHAPTER III
SPECIAL CONDITIONS APPLICABLE TO
CERTAIN VISUAL AIDS**

12. A hearing device with a record mode and a vocal note taking device may not be simultaneously insured in respect of any one person.

13. A contact lens listed in Part I of Schedule I is insured in respect of a person with a visual deficiency who is 6 years of age or over only if that person has one of the following deficiencies:

(1) an antimetropia or anisometropia with a difference of at least 2 diopters between the 2 eyes;

(2) a myopia of at least 5 diopters;

(3) a hypermetropia of at least 5 diopters;

(4) a regular astigmatism with a difference of at least 3 diopters between the major meridians;

(5) an ocular pathology that has been medically diagnosed and that requires the wearing of therapeutic contact lenses upon prescription from a physician.

14. The tinted filtering lens referred to in the Tariff made pursuant to Part I of Schedule I is insured only if it provides a light transmission not exceeding 50%, and the photochromic filtering lens referred to in that Tariff is insured only if it provides a light transmission not exceeding 70%.

However, the photochromic filtering lens is insured only in respect of a person whose need cannot be compensated for by the tinted filtering lens.

Likewise, the prescription filtering lens, either tinted or photochromic, is insured only if the non-prescription filtering lens, used in combination with the person’s basic glasses, cannot meet that person’s needs.

15. The closed-circuit television system referred to in Schedule I is insured in respect of a person whose inability to read cannot be compensated by another reading aid listed in Part I of Schedule I and who

(1) has a visual acuity equal to or less than 6/60 in the best eye, after correction by means of ophthalmic lenses, excluding special optic systems and additions greater than 4 diopters;

(2) has an associated physical deficiency, fluctuating vision, a defective field of vision or sensitivity to contrast;

(3) does not benefit from the permanent presence of a person 18 years of age or over; or

(4) is referred to in section 26.

In addition, the model of closed-circuit television system subject to a tariff pursuant to Part II of Schedule I and that is no longer operative because of its poor performance and the needs it is aimed at meeting to fulfil the academic or work requirements of persons referred to in section 26 is deemed to be subject to a tariff pursuant to Part I of Schedule I.

16. Despite section 6.7, the following are insured in respect of any one person:

(1) a maximum of 2 canes;

(2) a maximum of 3 suction grips per year.

17. The hand-held tactile electronic obstacle detector referred to in the Tariff made pursuant to Part I of Schedule I is insured only in respect of a person who

(1) has a hearing deficiency of at least 55 decibels; or

(2) is referred to in section 26 and has a disability affecting orientation and mobility, despite having received training to overcome it and that disability is such that the person has been unable to achieve the degree of autonomy necessary for attending school or obtaining work.

The audiometric measurement that must be used to determine a hearing deficiency is that provided for in the Regulation respecting hearing devices and insured services.

18. The neck-mounted tactile electronic obstacle detector referred to in the Tariff made pursuant to Part I of Schedule I is insured only in respect of a person who uses a wheelchair on a daily and permanent basis in order to move about and who is unable to use a cane.

19. The mobility lamp referred to in Part I of Schedule I is insured only in respect of a person who has a night vision problem and needs to move about at night in poorly lit places.

20. The night vision goggle referred to in Part I of Schedule I is insured only in respect of a person who has an ocular pathology causing night blindness, which hampers, on a daily basis, the movements needed to carry on daily activities. When moving about, that person must also use a cane or a guide dog.

21. The visual aids referred to in Division IV of Part I of Schedule I are insured only in respect of a person with a visual deficiency who has a compatible computer.

An aid referred to in subdivision 1 of Division IV of Part I of Schedule I, an aid referred to in subdivision 2 and an aid referred to in subdivision 3 of that Division may not be insured simultaneously in respect of any one person.

22. The following aids are insured only in respect of a functionally blind person:

(1) visual aids referred to in subdivisions 2 and 3 of Division IV of Part I of Schedule I;

(2) the braille display referred to in Part II of Schedule I that is recovered because it is no longer operative due to its poor performance and the needs it is aimed at meeting to fulfil the requirements related to the activities of persons referred to in section 26.

Despite the foregoing, for the purposes of subparagraph 1 of the first paragraph, the print recognition unit and the closed-circuit television system may not be insured simultaneously in respect of any one person.

and the personal assistant display referred to in Part II of Schedule I that are no longer operative.

23. The print magnification software referred to in subdivision 1 of Division IV of Part I of Schedule I and the monitor or the adjustable-arm support referred to in the same subdivision may not be insured simultaneously in respect of any one person, except in the case of a person referred to in section 26.

24. The visual aids referred to in subdivision 2 of Division V of Part I of Schedule I are insured only once for any one person.

The following is not insured:

(1) the replacement or repair of those aids;

(2) the adapted alarm clock in respect of a person who benefited from the same type of aid under the Regulation respecting hearing devices and insured services.

25. The aids referred to in subdivision 3 of Division V of Part I of Schedule I are insured only if the person with a visual deficiency meets the following conditions:

(1) except for the talking personal thermometer, the person holds a medical prescription that justifies the need for the aid for daily use at home;

(2) the person must be capable of using the aid independently;

(3) no other visual aid enables the person to compensate for the incapacity of using non-adapted current equipment.

26. The visual aids referred to in Part II of Schedule I are insured only in respect of a person who

(1) is a full-time student or is deemed to be a full-time student pursuing recognized studies according to the norms whose application comes under the responsibility of the Minister of Education, Recreation and Sports;

(2) receives training to have access to a professional order;

(3) is learning to read or write French or English under a program under the responsibility of the Minister of Immigration and Cultural Communities;

(4) receives training under a program of Emploi-Québec with a view to holding paid employment;

(5) begins a process of obtaining or returning to paid employment;

(6) needs such aid to keep paid employment or gain advancement at work; or

(7) suffers from deafblindness and uses braille as a constant method of reading and writing.

For the purposes of subparagraph 1 of the first paragraph, recognized studies are studies pursued by a student admitted to a program leading to a diploma, a certificate or another attestation of studies awarded pursuant to a basic school regulation established under the Education Act (R.S.Q., c. I-13.3) or the College Education Regulations established under the General and Vocational Colleges Act (R.S.Q., c. C-29), or studies pursued by a student admitted to a university program leading to a degree, a diploma, a certificate or another attestation of university studies

27. The aids referred to in Division I of Part II of Schedule I are insured in respect of a student at the preschool or elementary level only if the student is functionally blind or has an associated physical or intellectual deficiency. Likewise, those aids are insured in respect of a paid worker only if the worker is functionally blind or is entitled to a computer under section 28.

28. The computer referred to in Division I of Part II of Schedule I is not insured in respect of

(1) a student at the college or university level, or a student receiving training to have access to a professional order;

(2) a person referred to in subparagraphs 3 to 6 of the first paragraph of section 26 who, had the person not been a person with a visual deficiency, would have needed to use a computer in the course of academic or work activities.

29. A braille display, a 60-cell model or more, referred to in the Tariff made pursuant to Part II of Schedule I is insured only in respect of

(1) a student at the college or university level or a paid worker, provided that he or she is called upon to use braille on a regular basis to read graphs, tables, mathematic formulas or specialized data banks;

(2) a person suffering from deafblindness.

30. The braille printer referred to in Part II of Schedule I is insured only in respect of students at the college or university level or paid workers, provided that they need to read braille on paper in the course of their studies or work and have no braille printer meeting their needs in their school or work environment.

31. The dedicated braille communication computer system referred to in Part II of Schedule I is insured only in respect of a person suffering from deafblindness who does not use a computer and its braille adaptations.

31.1. The hearing aid with a recording mode referred to in Part II of Schedule I is insured only in respect of a student at the college or university level or a paid worker whose needs in terms of note taking may not be met by the computer at his or her disposal.

31.2. The free-standing reading stand referred to in the Tariff made pursuant to Part II of Schedule I is insured only in respect of a person who does not already have 2 reading stands and for whom the other models do not compensate for his or her incapacities.

31.3. The adapted satellite geopositioning system referred to in Part II of Schedule I is insured only in respect of a functionally blind person referred to in section 26 who needs to frequently move about alone in unfamiliar places.

31.4. Despite section 6.7, a second visual aid of one of the types below, or an additional component or supplement to such a visual aid, is insured only in respect of a person referred to in section 26:

- (1) the closed-circuit television system;
- (2) the braille;
- (3) the reading stand, not free-standing.

However, for the purposes of subparagraph 1 of the first paragraph, the print recognition unit may, despite section 22, take the place of a second closed-circuit television system.

31.5. Among the computer aids referred to in Schedule I, only the types of aid for a single method of communication are insured at the same time in respect of any one person.

For the purposes of the first paragraph, the aids referred to in subdivision 1 of Division IV of Part I and Division I of Part II of Schedule I are deemed to be print magnification aids. The aids referred to in subdivision 2 of Division IV of Part I and Division I of Part II of Schedule I are deemed to be sound aids. The aids referred to in subdivision 3 of Division IV of Part I and Division I of Part II of Schedule I are deemed to be braille aids.

31.6. Despite section 31.5, the types of aid for a second method of communication are also insured

(1) in respect of a person who, following the evaluation in section 6.1, is found to suffer from a condition that leads the person to gradually switch to braille; the initial method of communication and braille may co-exist while the person is learning to use braille;

(2) where the insured aid comes with an accessory method of communication without additional charges.”.

11. The Regulation is amended by replacing “CHAPTER III” after section 31 by “CHAPTER IV”.

12. Section 32 is amended by replacing “in Chapter V” and “that Chapter” in the first and third paragraphs by “in the Tariff” and “that Tariff”.

13. Section 35 is replaced by the following:

“**35.** No customs fees, customs clearance fees, currency exchange rate or taxes may be added to the price set in the Tariff for a visual aid, component or supplement reimbursed by the Board, nor costs for transporting the aid from the supplier to the loaning institution.”.

14. Section 36 is amended by replacing “of transportation from the supplier to the institution loaning the visual aid” by “of shipping from the supplier to the loaning institution or to the address of the insured person, according to the loaning institution’s instructions,”.

15. Section 38 is revoked.

16. Section 40 is revoked.

17. Section 42.1 is revoked.

18. Section 43 is amended by replacing “of transporting” in paragraph 2 by “of shipping” and by inserting “or the address of the insured person, according to the loaning institution’s instructions,” in the same paragraph after “that institution”.

19. Section 44 is amended

(1) by replacing “the billed labour” in subparagraph 2 of the first paragraph by “labour according to the hourly rates set in the Tariff”;

(2) by replacing “of transportation” and “of transporting” in subparagraph 3 of the first paragraph by “of shipment” and “of shipping”, respectively, and by replacing “which is closest to the institution loaning the visual aid and the location of that institution” by “the loaning institution or the address of the insured person, according to the loaning institution’s instructions”.

20. The Regulation is amended by replacing “CHAPTER IV” after section 44 by “CHAPTER V”.

21. Section 45 is amended

(1) by inserting “referred to in Part II of Schedule I” after “aids”;

(2) by replacing “a visually handicapped person in accordance with sections 14, 15, 16, 18, 19, 20, 23 and 24” by “the persons referred to in section 26”.

22. Chapter V is revoked.

23. Section 47 is replaced by the following:

“47. A visual aid obtained by a person with a visual deficiency under the *Programme des aides visuelles aux activités de la vie quotidienne et aux activités de la vie domestique* and the *Fonds d'aide aux travailleurs aveugles et amblyopes* before 2 June 2011 is deemed to be insured under this Regulation.”.

24. Schedule I attached to this Regulation is added at the end.

25. The Regulation is amended by replacing “visually handicapped person”, wherever that term appears and with the necessary modifications, by “person with a visual deficiency”.

26. This Regulation comes into force on 2 June 2011.

SCHEDULE

(s. 24)

“SCHEDULE I

(s. 5, 1st par.)

LIST OF VISUAL AIDS COVERED BY THE HEALTH INSURANCE PLAN

PART I: Categories and types of aids insured for all persons having a visual deficiency

DIVISION I: Reading aids

1. Hearing aid
2. Vocal note taking device
3. Bifocal with additions greater than 4 diopters
4. Adapted electronic calculator
5. Yellow filter sheet
6. Contact lens
7. Contact lens with artificial pupil
8. Fresnel lens
9. Microscopic lens
10. Filtering lenses
11. Magnifier
12. Obturator
13. Occluder
14. Fresnel prism
15. Reading stand
16. Microscopic optical system
17. Telescopic optical system
18. Closed-circuit television system
19. Stenopeic disc
20. Typoscope
21. Visor
22. Other reading aids (SC)

DIVISION II: Writing aids

23. Braille
24. Other writing aids (SC)

DIVISION III: Mobility aids

25. Canes
26. Door detector
27. Electronic obstacle detector
28. Acquisition costs for a guide dog
29. Annual maintenance costs for a guide dog
30. Mobility lamp
31. Night vision goggle
32. Telescopic optical system
33. Other mobility aids (SC)

DIVISION IV: Computer aids

Subdivision 1: Aids for the “Print Magnification” method of communication

34. Print magnification software
35. Monitor
36. Adjustable-arm support
37. Other aids for the “Print Magnification” method of communications (SC)

Subdivision 2: Aids for the “Sound” method of communication

38. Screen reader software
39. Print recognition unit
40. Other aids for the “Sound” method of communication (SC)

Subdivision 3: Aids for the “Braille” method of communication

41. Screen reader software
42. Print recognition unit
43. Other aids for the “Braille” method of communication (SC)

DIVISION V: Aids for daily life and domestic life

Subdivision 1: Renewable aids

44. Cranmer abacus
45. Adapted geometry kit
46. Adapted marker
47. Magnifying mirror
48. Adapted watch
49. Volume level
50. Writing stand

51. Adapted protractor
52. Pocket braille frame
53. Adapted measuring tape
54. Holder for brailler
55. Braille slate
56. Other renewable aids (SC)

Subdivision 2: One-time aids

57. Adapted plate
58. Knife with guide
59. Liquid level indicator

60. Check guide
61. Specialized secondary lamp for reading without a magnifying glass
62. Talking food scale
63. Adapted pedometer
64. Adapted wallet
65. Adapted alarm clock
66. Syringe stand
67. Adapted meat thermometer
68. Other one-time aids (SC)

Subdivision 3: Renewable health aids

69. Talking blood glucose monitor
70. Adapted scale
71. Talking blood pressure clamp
72. Talking personal thermometer
73. Other renewable health aids (SC)

PART II: Categories and types of insured aids for persons with a visual deficiency referred to in section 26 of this Regulation

DIVISION I: Computer aids

Subdivision 1: Aids for the “Print Magnification” method of communication

1. Computer
2. Other aids for the “Print Magnification” method of communication (SC)

Subdivision 2: Aids for the “Sound” method of communication

3. Computer
4. Screen reader control keyboard
5. Voice synthesis software
6. Other aids for the “Sound” method of communication (SC)

Subdivision 3: Aids for the “Braille” method of communication

7. Braille display
8. Screen reader control keyboard
9. Braille printer
10. Braille shortening software
11. Computer
12. Voice synthesis software
13. Dedicated Braille communication computer system
14. Other aids for the “Braille” method of communication (SC)

DIVISION II: Reading, writing and mobility aids

Subdivision 1: Reading aids

15. Hearing aid
16. Adapted electronic calculator
17. Reading support
18. Telemicroscopic optical system
19. Close-circuit television system
20. Other reading aids (SC)

Subdivision 2: Writing aids

21. Electric brailler
22. Other writing aids (SC)

Subdivision 3: Mobility aids

23. Electronic obstacle detector
24. Adapted satellite geopositioning system
25. Other mobility aids (SC)

1430

M.O., 2011

Order number 2011-05 of the Minister of Transport dated 29 April 2011

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

Approval of the cameras used to photograph the registration plates of road vehicles crossing bridge P-15020 on Autoroute 25

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 595.1 of the Highway Safety Code (R.S.Q., c. C-24.2), which provides that the cameras used to photograph the registration plates of road vehicles driven on a public road

referred to in section 417.2 of the Code must be approved by the Minister of Transport and must also allow the place, date and time the photograph was taken to be determined;

CONSIDERING Order 2011-04 of the Minister of Transport dated 31 March 2011 concerning the designation of toll road infrastructures operated under a public-private partnership agreement;

CONSIDERING that it is expedient to approve cameras;

ORDERS AS FOLLOWS:

1. The cameras used to photograph the registration plates of road vehicles crossing bridge P-15020 on Autoroute 25, manufactured by Transcore, are approved, the main components of which being as follows:

(a) fully-redundant zone controller with detection by suspended laser scanner (LMS 211 by SICK AG) and by magnetic induction loops (SmartToll® by Peek Traffic Corporation and technologie Idris®);

(b) electronic toll system with identification by radio frequency by Transcore, including in particular antennas (AA3152 by Transcore), multiprotocol readers (Encompass®6 by Transcore) and transponders (eGo Plus by Transcore);

(c) camera identification system (VIS-CAM 500 3015330 and 3015331 by JAI Inc.) and camera monitoring (P1343 by Axis).

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

SAM HAMAD,
Minister of Transport

1433

M.O., 2011

Order number 2011-06 of the Minister of Transport dated 29 April 2011

Code of Penal Procedure
(R.S.Q., c. C-25.1)

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

Designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 20 of the Act respecting transport infrastructure partnerships (R.S.Q., c. P-9.001) which provides that the Minister may designate from among the partner's employees who meet the conditions determined by government regulation a person to be entrusted with the enforcement of the 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);

CONSIDERING that the Minister of Transport entered with Concession A25, S.E.C into an agreement dated 13 September 2007 entitled "Projet pour la conception, la construction, le financement, l'exploitation et l'entretien d'une portion du parachèvement de l'autoroute 25 dans la région métropolitaine de Montréal";

CONSIDERING section 35 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, made by Order in Council 283-2011 dated 23 March 2011, which determines the conditions that an employee of the partner must meet at the time he or she is designated;

CONSIDERING Order number 2011-04 of the Minister of Transport dated 31 March 2011 respecting the Designation of a toll road infrastructure operated under a public-private partnership agreement;

CONSIDERING that Francine Gauthier and Daniel Poitras are employees of Concession A25, S.E.C., and that they meet the conditions set out in the Regulation respecting toll road infrastructures operated under a public-private partnership agreement;

CONSIDERING that it is expedient to designate those persons;

ORDERS AS FOLLOWS:

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), the following employees of Concession A25, S.E.C. are hereby designated as persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships on bridge P-15020 of autoroute 25 that crosses rivière des Prairies:

- (1) Francine Gauthier;
- (2) Daniel Poitras.

SAM HAMAD,
Minister of Transport

1434

Draft Regulations

Notice

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

Automotive services industry — Chapais, Chibougamau, Lac-Saint-Jean and Saguenay — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application by the contracting parties to amend the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay (R.R.Q., c. D-2, r. 7) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree amends the journeyman-apprentice ratio to allow professional employers to hire more apprentices per journeyman in the same trade.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2009 annual report of the Comité paritaire de l'industrie des services automobiles de la région Saguenay-Lac Saint-Jean, 523 employers, 2,363 employees and 71 artisans are subject to the Decree.

Further information may be obtained by contacting

Louis-Philippe Roussel
Direction des politiques du travail
Ministère du Travail
200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 644-2206
Fax: 418 643-9454
E-mail: louis-philippe.roussel@travail.gouv.qc.ca

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

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay

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

1. The Decree respecting automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay (R.R.Q., c. D-2, r. 7) is amended by replacing section 9.09 by the following:

“**9.09.** The ratio of apprentices to journeymen carrying on a trade with an employer must not exceed 2 apprentices per journeyman in the same trade.”

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

1428

Notice

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

Personnel d'entretien d'édifices publics – Montréal — Levy of the parity committee — Amendments

Notice is hereby given, in accordance with subparagraph *h* of the second paragraph of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application from the Comité paritaire de l'entretien d'édifices publics, région de Montréal to approve the Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation provides a new method for collecting levies where professional employers authorize the parity committee to make a direct monthly withdrawal from an account held in a financial institution.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2010 annual report of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, 1,151 employers and 11,108 employees are subject to the Decree respecting building service employees in the Montréal region (R.R.Q., c. D-2, r. 15).

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
Email: patrick.bourassa.@travail.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 22, 2nd par., subpar. i)

1. The Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal is amended by adding the following after section 5:

“**5.1.** The amounts referred to in section 5 may be collected by preauthorized payment if professional employers

(1) authorize their financial institution and the parity committee to make the transactions on a single account;

(2) provide the details of the account to the committee;
or

(3) fill out an application form for preauthorized payment on which the committee is designated as a recipient organization.”.

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

1427

* The Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, approved by Order in Council 2626-85 dated 11 December 1985 (1985, *G.O.* 2, 4379), was last amended by the regulation approved by Order in Council 673-2001 dated 30 May 2001 (2001, *G.O.* 2, 2653).

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

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