

**Gazette**  
officielle  
**DU Québec**

**Part**

**2**

**No. 23**

8 June 2011

**Laws and Regulations**

Volume 143

**Summary**

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### Contents

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- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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**PROVINCE OF QUÉBEC**

2ND SESSION

39TH LEGISLATURE

QUÉBEC, 20 MAY 2011

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OFFICE OF THE LIEUTENANT-GOVERNOR

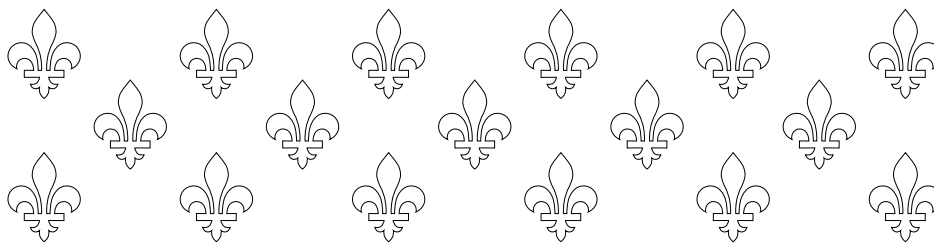
*Québec, 20 May 2011*

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

119 An Act respecting the election process

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





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 119  
(2011, chapter 5)

## **An Act respecting the election process**

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**Introduced 20 October 2010**  
**Passed in principle 9 December 2010**  
**Passed 12 May 2011**  
**Assented to 20 May 2011**

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**Québec Official Publisher**  
**2011**

## EXPLANATORY NOTES

*This Act makes various changes to the electoral process established by the Election Act.*

*With respect to voting, the rules governing the determination of polling subdivisions and the special provisions relating to voting in a residential facility or at an elector's domicile are amended. Additional specifics are provided with respect to the establishment and opening of returning officers' offices, polling stations and mobile polling stations.*

*As regards election officers, it is provided that where there are fewer than three polling stations in the same place, the deputy returning officer and a poll clerk may act as identity verification panel members, other than the chairman. One of the two positions of officer in charge of the list of electors is abolished and the mode of appointment to the position is modified. The official agent of a candidate will be allowed to appoint deputies. Moreover, the Election Act and the Regulation respecting the conditions of exercise of the duties of returning officer are amended as concerns the requirements for appointment as returning officer.*

*In more administrative matters, certain time limits for the filing of financial reports by authorized entities are extended when a return of election expenses must be filed almost simultaneously. Moreover, a candidate in a by-election may obtain an advance on the reimbursement of election expenses, subject to the same conditions as those applicable during a general election.*

*The Election Act and the Act respecting elections and referendums in municipalities are amended to require authorized parties to maintain a minimum number of members at all times.*

*Lastly, certain provisions of the Act to amend the Election Act to encourage and facilitate voting are clarified, in particular with regard to the revision of the list of electors and to voting at the office of the returning officer.*



**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Election Act (R.S.Q., chapter E-3.3);
- Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17).

**REGULATION AMENDED BY THIS ACT:**

- Regulation respecting the conditions of exercise of the duties of returning officer (R.R.Q., chapter E-3.3, r. 4).



## Bill 119

### AN ACT RESPECTING THE ELECTION PROCESS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ELECTION ACT

**1.** Section 35 of the Election Act (R.S.Q., chapter E-3.3) is amended by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) of polling subdivisions comprising not more than 425 electors. However, a polling subdivision in which a residential facility described in section 180 is situated may exceed that figure by up to the number of electors registered on the permanent list of electors for the address of that facility; and

“(2) of electoral precincts comprising polling subdivisions served by the same voting place.”

**2.** The Act is amended by inserting the following sections after section 51:

“**51.1.** An authorized party must at all times have at least 100 members who are qualified electors and hold a valid membership card.

“**51.2.** Not later than 30 April each year, an authorized party must send to the Chief Electoral Officer a list showing the names and addresses of 100 members who meet the conditions set out in section 51.1.

The Chief Electoral Officer may take any necessary measures to verify the accuracy of the information provided under the first paragraph.”

**3.** Section 68 of the Act is amended by adding the following paragraph at the end:

“In addition, the Chief Electoral Officer must withdraw the authorization of a party which does not comply with section 51.1 and may withdraw the authorization of a party which does not provide the information required under section 51.2.”

**4.** Section 119 of the Act is replaced by the following section:

“**119.** Where the time fixed in section 113 or 117 expires during an election period, the deadline is deferred for 60 days.”

**5.** Section 120 of the Act is replaced by the following section:

“**120.** Where the time fixed in section 113 or 117 expires during the period in which a return of election expenses must be filed, the deadline is deferred for 120 days or to the 135th day after the polling date, whichever is later.”

**6.** The Act is amended by inserting the following section after section 120:

“**120.1.** Where the time fixed in section 432 or 434 expires during the period for filing the financial report provided for in section 113 or 117, the deadline is deferred for 60 days in the case of the report provided for in section 113 and for 30 days in the case of the report provided for in section 117.”

**7.** Section 121 of the Act is amended by replacing “and 120” by “, 120 and 120.1”.

**8.** Section 122 of the Act is amended by replacing “with a copy of each of the receipts issued for contributions received” in the second paragraph by “with the contribution slips that have not yet been sent to the Chief Electoral Officer”.

**9.** Section 126 of the Act is amended by inserting “the list of members of an authorized party referred to in section 51.2 and” after “except” in the first paragraph.

**10.** Section 132 of the Act is amended

(1) by striking out “As soon as the order instituting the election is issued,” at the beginning of the second paragraph;

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

“The main office must be in operation as soon as the order instituting the election is issued. The branch offices must be in operation at the time determined by the Chief Electoral Officer but not later than the twenty-first day before polling day.”

**11.** Section 212 of the Act is amended by inserting “, where the application to have a name struck off the list is filed under section 207 by an elector domiciled at the address for which that name is entered” after “192” in the first paragraph.

**12.** Section 241 of the Act is amended

(1) by replacing “on the back the signatures of two electors of the electoral division who know him” in subparagraph 3 of the first paragraph by “the person’s signature on the back”;

(2) by striking out the second paragraph.

**13.** Section 301.8 of the Act is amended by adding the following paragraph after the second paragraph:

“An elector temporarily living in a residential facility may vote at the facility provided a request to that effect is addressed to the returning officer within the time prescribed in the second paragraph and provided the elector is registered on the list of electors for the polling subdivision in which the elector is domiciled. If the elector is not domiciled in the electoral division in which the facility is located, sections 269 to 280 apply, with the necessary modifications.”

**14.** Section 301.13 of the Act is amended by inserting “is registered on the list of electors for the polling subdivision in which the facility is located and” after “elector who”.

**15.** Section 301.16 of the Act is amended by replacing the first paragraph by the following paragraph:

“**301.16.** The returning officer sets up as many mobile polling stations as necessary.”

**16.** Section 301.17 of the Act is amended by replacing “in which the facility is located” in paragraph 2 by “of the elector’s domicile”.

**17.** Section 301.19 of the Act is amended by adding the following paragraph at the end:

“Electors who act as informal caregivers of electors having the right to vote at their domicile may vote at that domicile. They must address a request to that effect to the returning officer within the time prescribed in subparagraph 1 of the first paragraph and be registered on the list of electors for the polling subdivision in which the domicile is located.”

**18.** Section 302 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “According to the criteria determined by the Chief Electoral Officer, the returning officer may establish more than one polling station for a polling subdivision.”;

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

“The returning officer shall establish more than one polling station in a polling subdivision that comprises more than 425 electors, unless that figure is exceeded due to the number of electors registered on the list of electors of a residential facility described in section 180.”;

(3) by striking out the third paragraph.

**19.** Section 308 of the Act is amended by replacing “officers assigned to the list of electors, members of the identity verification panel” by “officers assigned to the list of electors, identity verification panel chairs”.

**20.** Section 310.1 of the Act is replaced by the following section:

**“310.1.** For every polling station, the returning officer shall appoint, as officer assigned to the list of electors, the person recommended by the candidate of the authorized party whose candidate came third at the last election.”

**21.** Section 312 of the Act is amended by replacing “fourteenth” in the first paragraph by “seventeenth”.

**22.** Section 312.1 of the Act is amended

(1) by replacing “310 to 312” in the second paragraph by “310, 311 and 312”;

(2) by replacing “there is only one polling station” in the third paragraph by “there are three or fewer polling stations”;

(3) by adding the following sentence at the end of the third paragraph: “In such a case, sections 335.1 to 335.4 apply, with the necessary modifications.”

**23.** Section 315.1 of the Act is amended by replacing “The officers assigned to the list of electors shall have” by “The officer assigned to the list of electors shall have”.

**24.** Section 328 of the Act is amended by replacing “the officers” in the first paragraph by “the officer”.

**25.** Section 360 of the Act is amended by replacing the second paragraph by the following paragraph:

“Votes cast during the advance poll and votes cast by electors at the office of the returning officer for the electoral division of their domicile are counted at the place determined by the returning officer.”

**26.** Section 408 of the Act is amended by adding the following paragraph at the end:

“Section 406 applies to the official agent of a candidate, with the necessary modifications.”

**27.** Section 432 of the Act is amended by adding the following paragraph at the end:

“If the official agent has appointed deputies under section 408, the return must be accompanied by the deeds of appointment, including any changes made to them.”

**28.** Section 451 of the Act is amended by inserting “and, if applicable, in the third paragraph of that section,” after “426”.

**29.** Section 503 of the Act is amended by replacing the first paragraph by the following paragraph:

“**503.** The appointment of a returning officer shall be made after a public competition among the qualified electors domiciled in the electoral division concerned or in an electoral division determined by a directive of the Chief Electoral Officer, provided, in the latter case, that the person is able to carry out his duties in a satisfactory manner as if he were domiciled in the electoral division for which he is appointed.”

**30.** Section 504 of the Act is amended by adding the following sentence at the end: “A person may apply for one electoral division only.”

#### ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**31.** The Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by inserting the following sections after section 399.1:

“**399.2.** An authorized party must at all times have a minimum number of members who are qualified electors and hold a valid membership card, which minimum number is set out in the third paragraph of section 397.

“**399.3.** Not later than 1 April each year, the party must send to the Chief Electoral Officer a list showing the names and addresses of party members who meet the conditions set out in section 399.2, in at least the number set out in the third paragraph of section 397.

The Chief Electoral Officer may take any necessary measures to verify the accuracy of the information provided under the first paragraph.”

**32.** Section 404 of the Act is amended by adding the following sentence at the end of the first paragraph: “In addition, the Chief Electoral Officer must withdraw the authorization of a party which does not comply with section 399.2

and may withdraw the authorization of a party which does not provide the information required under section 399.3.”

**33.** Section 659 of the Act is amended by inserting “the list of the members of an authorized party and any” before “personal information” in the second paragraph.

#### ACT TO AMEND THE ELECTION ACT TO ENCOURAGE AND FACILITATE VOTING

**34.** Section 13 of the Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17), amended by section 85 of chapter 22 of the statutes of 2008, is again amended

(1) by adding the following paragraph at the end of section 206 of the Election Act that it enacts:

“The second paragraph does not apply to a request submitted to a special board of revisors.”;

(2) by replacing “unless the person is present” in the first paragraph of section 210 of the Election Act that it enacts by “except where the person is present,”, by inserting “, where the request is submitted under section 205 by a person domiciled at the address appearing on the list opposite the name of the person” after “192” in that paragraph and by replacing “or the board” in that paragraph by “where the board”;

(3) by striking out “and include particulars about voting at the returning officer’s office” in the first paragraph of section 218 of the Election Act that it enacts;

(4) by replacing the second paragraph of section 218 of the Election Act that it enacts by the following paragraph:

“At the latest before the opening of the advance polling stations, the returning officer sends each candidate a list of the electors removed from the list of electors by a special board of revisors.”

**35.** Section 15 of the Act, amended by sections 38 to 41 of chapter 22 of the statutes of 2008, is again amended

(1) by replacing section 264 of the Election Act that it enacts by the following section:

“**264.** Unless otherwise provided, sections 307, 312.1, 320 to 327, 329 to 332, 334 and 335.1 to 340 apply, with the necessary modifications, to voting by electors in the electoral division of their domicile.”;



(2) by replacing section 265 of the Election Act that it enacts by the following section:

**“265.** The members of the special board of revisors act as members of the identity verification panel. The chair of the special board of revisors acts as chair of the panel.”;

(3) by replacing the second paragraph of section 266 of the Election Act that it enacts by the following paragraph:

“Sections 342 to 354 apply, with the necessary modifications. However, the prohibition to engage in partisan publicity provided in section 352 does not apply to an office used by a candidate for election purposes that is situated near the main office or a branch office of a returning officer.”;

(4) by replacing section 269 of the Election Act that it enacts by the following section:

**“269.** Electors temporarily residing in an electoral division other than the electoral division of their domicile may vote at the returning officer’s main office or at one of the returning officer’s branch offices in the electoral division of their temporary place of residence.

The electors described in the first paragraph must, at the time of voting, provide a sworn written statement attesting that, to their knowledge, they will not be able to exercise their right to vote in the electoral division of their domicile on the scheduled voting days.”;

(5) by replacing section 270 of the Election Act that it enacts by the following section:

**“270.** Unless otherwise provided, sections 307, 312.1, 325 to 327, 329 to 332, 334 and 335.1 to 340 apply, with the necessary modifications, to voting by electors outside their electoral division.”;

(6) by repealing section 271 of the Election Act that it enacts;

(7) by inserting “of the elector’s temporary place of residence” after “revisors” in section 272 of the Election Act that it enacts;

(8) by repealing section 273 of the Election Act that it enacts;

(9) by replacing the second paragraph of section 276 of the Election Act that it enacts by the following paragraph:

“Sections 342, 344 to 347 and sections 349 to 354 apply, with the necessary modifications. However, the prohibition to engage in partisan publicity provided in section 352 does not apply to an office used by a candidate for election

purposes that is situated near the main office or a branch office of a returning officer.”;

(10) by repealing section 278 of the Election Act that it enacts.

**36.** Section 24 of the Act is amended by striking out “or has not registered to vote outside his electoral division at the returning officer’s office” in paragraph 3 of section 350 of the Election Act that it enacts.

#### REGULATION RESPECTING THE CONDITIONS OF EXERCISE OF THE DUTIES OF RETURNING OFFICER

**37.** Section 2 of the Regulation respecting the conditions of exercise of the duties of returning officer (R.R.Q., chapter E-3.3, r. 4) is amended by replacing paragraph 2 by the following paragraph:

“(2) be domiciled at all times in the electoral division of appointment or in an electoral division determined by a directive issued under section 503 of the Election Act;”.

#### FINAL PROVISIONS

**38.** This Act does not apply to an election in progress on 20 May 2011 or ordered within 60 days after that date.

**39.** Until the Nomination Regulation (1989, G.O. 2, 1569) is amended in accordance with section 550 of the Election Act, the Chief Electoral Officer may adapt the form provided in the regulation to reflect any amendments to section 241 of the Election Act.

**40.** This Act comes into force on 20 May 2011, except sections 13, 14 and 16, which come into force on 30 September 2012 unless the Government sets an earlier date for their coming into force.

## Regulations and other Acts

Gouvernement du Québec

### O.C. 516-2011, 25 May 2011

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

#### Régie du logement — Tariff of costs exigible — Amendment

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

WHEREAS, under subparagraph 4 of the first paragraph of section 108 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), the Government may make regulations prescribing, where such is the case, the duties or costs exigible for any act performed by the board or by a party in the case of an application or a proceeding, and the duties or costs relating to the administration of the Act, establishing the standards, conditions and modalities applicable to the receipt, keeping and reimbursement of such duties or costs, exempting certain categories of persons from the payment of such duties or costs, and determining, where necessary, the maximum amount that a party may be bound to pay under section 79.1 for the whole or one or other of such acts;

WHEREAS, under section 79.1 of the Act, the commissioner may, at the time of the decision, adjudge the costs prescribed by regulation;

WHEREAS, by Order in Council 519-97 dated 23 of April 1997, the Government made the Tariff of costs exigible by the Régie du logement;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Tariff of costs exigible by the Régie du logement was published in Part 2 of the *Gazette officielle du Québec* of 2 February 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affaires, Regions and Land Occupancy:

THAT the Regulation to amend the Tariff of costs exigible by the Régie du logement, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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

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

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

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

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

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

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

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

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

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

1475

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

Gouvernement du Québec

**O.C. 527-2011, 25 May 2011**

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

**Chartered administrators  
— Practice of the profession within a partnership  
or a joint-stock company**

Regulation respecting the practice of the profession of chartered administrators within a partnership or a joint-stock company

WHEREAS, under paragraph *p* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may authorize the members of the order to carry on their professional activities within a limited liability partnership or a joint-stock company constituted for that purpose and, as appropriate, determine the applicable terms and conditions and restrictions;

WHEREAS, under paragraphs *g* and *h* of section 93 of the Professional Code, the board of directors of a professional order must impose on its members who carry on their professional activities within a partnership or a joint-stock company the obligation to furnish and maintain coverage, on behalf of the partnership or company, against liabilities of the partnership or company arising from fault in the practice of their profession and fix the conditions and procedure applicable to a declaration made to the order;

WHEREAS the board of directors of the Ordre des administrateurs agréés du Québec made the Regulation respecting the practice of the profession of chartered administrators within a partnership or a joint-stock company and in multidisciplinary;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

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

WHEREAS, pursuant to the first paragraph of section 95.2 of the Professional Code, a regulation made by the board of directors of a professional order under paragraph *g* or *h* of section 93 must be transmitted for examination to the Office, which may approve it with or without amendment;

WHEREAS the first regulation made by the board of directors of a professional order under paragraph *p* of section 94 of the Professional Code 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 practice of the profession of chartered administrators within a partnership or a joint-stock company and in multidisciplinary was published in Part 2 of the *Gazette officielle du Québec* of 3 November 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office approved the Regulation, except Division I, section 4, paragraphs 2 to 6 of section 5, sections 7 and 8 and Divisions IV and V;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve Division I, section 4, paragraphs 2 to 6 of section 5, sections 7 and 8 and Divisions IV and V of the Regulation with amendments;

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

THAT Division I, section 4, paragraphs 2 to 6 of section 5, sections 7 and 8 and Divisions IV and V of the Regulation respecting the practice of the profession of chartered administrators within a partnership or a joint-stock company, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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## Regulation respecting the practice of the profession of chartered administrators within a partnership or a joint-stock company

Professional Code

(R.S.Q., c. C-26, a. 93, par. *g* et *h* et a. 94, par. *p*)

### DIVISION I

#### GENERAL PROVISIONS

**1.** A member of the Ordre des administrateurs agréés du Québec may, subject to the terms, conditions and restrictions established in this Regulation, carry on his or her professional activities within a joint-stock company or a limited liability partnership within the meaning of Chapter VI.3 of the Professional Code (R.S.Q., c. C-26).

**2.** A person struck off the roll for a period in excess of 3 months or who has had his or her professional license revoked may not, during the period of the striking off or revocation, directly or indirectly hold a share in the partnership or joint-stock company.

During that period, such person may not hold the position of director, officer or representative of the partnership or joint-stock company.

**3.** Where a member notices that the conditions set out in this Regulation or in Chapter VI.3 of the Professional Code is no longer satisfied, the member shall, within 15 days, take the necessary measures to comply, failing which, the member shall no longer be authorized to carry on his or her professional activities within the partnership or company.

### DIVISION II

#### TERMS AND CONDITIONS

**4.** A member may practice his professional activities within a partnership or a company if the following conditions are met :

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

*a)* by members of a professional order governed by the Professional Code or by persons subject to similar rules;

*b)* by legal persons, trusts or any other enterprises where the voting rights attached to the shares of the company, partnership units, equity interests or other rights wholly owned by one or more persons referred to in subparagraph *a*;

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

2° a majority of directors of the board of directors or, as the case may be, the partners or directors appointed by the partners are persons referred to in subparagraph *a* of paragraph 1° and constitute the majority of the quorum of such councils;

3° a minimum of one director of the joint-stock company or director appointed by the partners to manage the business of the limited liability partnership shall be a member of the Order;

4° a minimum of one member of the Order must hold one share with the voting rights or one partnership unit.

The member of the Order must ensure that these conditions appear in the articles of the joint-stock company or in the contract of the limited liability partnership and that the documents stipulate that the partnership or joint-stock company is constituted for the purpose of carrying on professional activities.

**5.** A member can carry on his professional activities within a partnership or joint-stock company, if he provides the Order with the following documents:

1° a sworn declaration in compliance with section 6, accompanied by the fees payable prescribed by the board of directors of the Order;

2° a written document from the competent authority to the effect that the partnership or joint-stock company is covered by security in compliance with Division III;

3° in the case of a joint-stock company, a copy of the incorporating instrument issued by the competent authority, certifying the existence of the joint-stock company;

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

5° an irrevocable written undertaking from the partnership or joint-stock company allowing a person, committee, council or tribunal referred to in section 192 of the Professional Code to require disclosure of any document listed in section 12 from a person; and;

6° where applicable, a true copy of the declaration required under the Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1), stating that the general partnership has become a limited liability partnership.

**6.** The sworn declaration in paragraph 1° of section 5 is made on the form provided for that purpose by the Order and contains:

1° the authorized administrator's name, member number and status within the partnership or joint-stock company;

2° the name of the partnership or joint-stock company as well as the business number assigned to it by the enterprise registrar;

3° the legal form of the partnership or joint-stock company and the confirmation that the conditions referred to in section 4 are met;

4° in the case of a limited liability partnership, the address of the head office of the company and the address of all other establishments of the partnership located in the province of Québec, as well as the names and home addresses of all the partners, the percentage of partnership units they own along with the position they hold in management, where applicable;

5° in the case of a joint-stock company, the address of the head office of the company and the address of its other establishments in the province of Québec, the names and home addresses of all shareholders, the number of shares they hold with voting rights along with an indication of their functions as administrator, director and officer, where applicable; and

6° where applicable, the date on which the general partnership is continued as a limited liability partnership or a joint-stock company.

**7.** Where more than one member carries on professional activities within a partnership or joint-stock company, one representative may make a declaration for all other members in the partnership or company.

The representative's declaration is each member's declaration of the partnership or company. Each member remains fully responsible for the accuracy of the information provided pursuant to section 6.

The representative must be a member of the Order and act as a partner, director, officer or shareholder of the partnership or company.

**8.** The member or representative must:

1° update and provide, before March 31 of each year, the declaration prescribed in section 6;

2° promptly notify the Order of any change in the security coverage specified in Division III or if the information given in the declaration pursuant to section 6 may violate the conditions set out in section 4.

### **SECTION III** SECURITY AGAINST THE PROFESSIONAL FAULT OF PARTNERSHIP OR COMPANY MEMBERS

**9.** A member who carries on professional activities within a partnership or joint-stock company must provide and maintain on behalf of the partnership or company, either by means of an insurance contract or a suretyship or by joining a collective insurance plan contract entered into by the Order or by contributing to a professional liability insurance fund established in accordance with section 86.1 of the Professional Code, security coverage against the professional liability of the partnership or company that may arise from the fault of the members in the course of carrying on professional activities within the partnership or joint-stock company.

**10.** The security must include the following conditions:

1° an undertaking by the insurer or the surety to pay on behalf of the partnership or joint-stock company, over and above the amount of the security to be supplied by the member pursuant to the *Règlement sur l'assurance de la responsabilité professionnelle des membres de l'Ordre des administrateurs agréés du Québec*, approved by the Office des professions on September 22, 2008, up to the amount of the security, any sum that the partnership or joint-stock company may legally be liable to pay to an injured third party regarding a claim filed during the coverage period and arising from fault on the part of the member in the carrying on of professional activities within the partnership or joint-stock company;

2° an undertaking by the insurer or the surety to indemnify and hold the partnership or joint-stock company harmless in any legal action launched against the partnership or company and to pay, in addition to the amounts covered by the security, all the costs and expenses of legal actions brought against the partnership or company, including the costs and expenses of investigation and defence as well as interest on the amount of the security;

3° an undertaking by the insurer or the surety that the security is not less than \$1,000,000.00 per incident and will be for all claims during a period of coverage of 12 months;

4° an undertaking by the insurer to give the Order a 30-day prior notice of intent to terminate or modify the coverage when the modification refers to a condition set out in this Regulation;

5° an undertaking by the insurer to notify the Order when the coverage is not to be renewed, this notice must be given within 15 days prior to the termination date.

#### **DIVISION IV** ADDITIONAL INFORMATION

**11.** The information referred to in paragraph 5° of section 5 are as follow:

1° in the case of a limited liability partnership:

- a) the partnership agreements and all amendments;
- b) the declaration of registration of the partnership and any update;
- c) the names and home addresses of the company's directors holding positions in management
- d) a complete and updated register of the partners;
- e) a complete and updated register of the directors.

2° in the case of a joint-stock company:

- a) a complete and updated register of the articles and by-laws;
- b) a complete and updated securities register;
- c) a complete and updated register of shareholders;
- d) a complete and updated register of directors;
- e) all shareholders' agreement and voting agreements, and all corresponding amendments;
- f) any agreement concerning stock options with voting rights or concerning any other right, even if conditional, granted to a person and enabling the person to be issued such stocks;
- g) the declaration of registration of the joint-stock company and updates; and
- h) the names and home addresses of the company's principal officers.

**12.** Where members carrying on professional activities within a general partnership which is continued as a limited liability partnership or where a joint-stock company or a limited liability partnership is constituted, members practicing their profession within the company or partnership shall, within 15 days of the continuance or constitution, send a notice informing their clients of the nature and effects of the continuance or constitution for the partnership or joint-stock company, in particular with respect to the member's professional liability and that of the partnership or joint-stock company.

#### **DIVISION V** FINAL PROVISIONS

**13.** A member carrying on professional activities within a joint-stock company constituted before the effective date of the present Regulation shall, at the latest within the year following this date, comply in accordance with the requirements set out in the present Regulation.

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

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Gouvernement du Québec

**O.C. 528-2011, 25 May 2011**

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

#### **Chartered administrators**

— **Code of ethics**  
— **Amendment**

Regulation amending the Code of ethics of chartered administrators

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre des administrateurs agréés du Québec made the Regulation amending the Code of ethics of chartered administrators;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation amending the Code of ethics of chartered administrators was published in Part 2 of the *Gazette officielle du Québec* of 3 November 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation amending the Code of ethics of chartered administrators, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation amending the Code of ethics of the chartered administrators\*

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

**1.** The following shall be substituted for section 1 of the Code of ethics of the chartered administrators:

“**1.** This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the chartered administrator’s duties, regardless of the structure or manner in which he engages in his professional activities or the nature of his contractual relationship with the client.”

\* The Code of ethics of chartered administrators approved by the decree number 234-2003 of February 26, 2003 (2003, *G.O.* 2, 1459) has been modified by the decree number 777-2004 of August 10, 2004 (2004, *G.O.* 2, 3865).

**2.** The following sections shall be added after section 1 of this Code:

“**1.1.** A chartered administrator shall take reasonable measures to ensure compliance with the Act respecting the Professional Code (R.S.Q., c. C-26) and the regulations adopted thereunder by any person, other than a chartered administrator, who cooperates with him in the course of his professional activities or by any partnership or joint-stock company within which he engages in his professional activities.

**1.2.** A chartered administrator’s duties and obligations under the Professional Code and regulations thereunder are in no way modified or reduced by the fact that the chartered administrator carries on his professional activities within a partnership or a joint-stock company.”

**3.** Section 2 of this Code is repealed

**4.** The words “on society.” shall be substituted for the words “on the public.” in section 5 of this Code.

**5.** The words “or by the persons who carry on their professional activities within the same partnership or a joint-stock company” shall be inserted in the first paragraph and after the words “members of the profession” in section 13 of this Code.

**6.** Section 20 of this Code is amended by striking out the last sentence.

**7.** Section 24 of this Code is repealed.

**8.** The words “for the public” shall be substituted for the words “to society” in paragraph 6 of section 29.

**9.** The following shall be substituted for section 31 of this Code:

“**31.** A chartered administrator assumes full personal civil liability in the practice of his professional activities. He is forbidden to include in a declaration, an advertisement or a professional service contract, any clause to the effect of directly or indirectly, fully or partially, excluding this responsibility.

He may not invoke the liability of the company within which he carries on his professional activities, neither the responsibility of another person who also carries on his activities in the company as a ground for excluding or limiting his own liability.”

**10.** The following shall be substituted for section 33 of this Code:



**33.** A chartered administrator shall place himself in a position where the interest of his client supersedes his self-interest or the interest of the company within which he carries on his professional activities or in which he or any other person carrying on their activities within this company has an interest.”

**11.** The following shall be substituted for section 38 of this Code:

**38.** A chartered administrator shall share his professional fees only with a chartered administrator or another person, a trust or an enterprise contemplated in paragraph 1° of section 4 of the Règlement sur l'exercice de la profession d'administrateurs agréés en société as approved by the decree 527-2011 dated 25 May 2011.”

**12.** The following shall be substituted for section 39 of this Code:

**39.** A chartered administrator shall abstain from receiving any gratification, compensation or commission related to the practice of his profession, except from usual courtesies and presents of modest value. In addition, he shall not pay, offer to pay or agree to pay such gratification, compensation or commission.”

**13.** The following shall be substituted for section 44 of this Code:

**44.** A chartered administrator shall take reasonable measures to ensure the secrecy of confidential information revealed to him by reason of his profession is respected by all employee or by any person who cooperates or practices its activities within the company where the chartered administrator practices his profession.”

**14.** Section 50 of this Code is amended by striking out the last sentence.

**15.** The following sections shall be added after section 59 of this Code:

**59.1** A chartered administrator who practices within a company shall ensure that professional fees related to professional services rendered by chartered administrators shall be listed separately on all invoice or fees statement given by the company to the client.

**59.2** Where a chartered administrator practices his professional activities within a joint-stock company, all professional fees related to professional services he has rendered within and on behalf of this company, belong to the company, unless otherwise agreed.”

**16.** Section 62 of this Code is repealed.

**17.** The following shall be inserted at the end of section 73 of this Code:

“12° carrying on professional activities within a company, or having interest in such company, where a partner, shareholder, director, officer or employee of this company, is struck off the roll for a period of 3 months or has his professional license revoked, except where the partner, shareholder, director, officer or employee:

a) ceases to act as a director or officer within 15 days from the date on which the striking off or revocation becomes executory;

b) ceases to attend all shareholders meetings and to exercise his right to vote within 15 days from the date on which the striking off or revocation becomes executory;

c) disposes of his company shares with voting rights or leave them in the care of a trustee within 15 days from the date on which the striking off or revocation becomes executory.”

**18.** The following paragraph shall be added at the end of section 74 of this Code:

“A chartered administrator who carries on his professional activities within a company shall not allow this company to use, by any means whatsoever, false, incomplete or misleading advertisement.”

**19.** The title of Division III of Chapter V shall read as follows: “NAME”.

**20.** The following shall be substituted for section 84:

**84.** A chartered administrator shall not carry on his profession within a company under a name which is misleading, derogatory to the honour or dignity of the profession or which is a numeral name.

Only where chartered administrators render all services offered by the company that it may use titles exclusive to this profession in its name.”

**21.** Section 85 of this Code is repealed.

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

Gouvernement du Québec

## O.C. 529-2011, 25 May 2011

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

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

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

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

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

WHEREAS the Office carried out the required consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 5 January 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des pharmaciens du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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

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

**1.** The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended by replacing paragraph *b* of section 1.13 by the following:

“(b) Doctorat de premier cycle en pharmacie from the Université de Montréal.”.

**2.** Paragraph *b* of section 1.13 of the Regulation, replaced by section 1 of this Regulation, remains applicable to persons who, on 23 June 2011, hold the bachelor's degree mentioned therein or are registered in the program leading to that degree.

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

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\* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933), 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5), 267-2011 dated 23 March 2011 (2011, *G.O.* 2, 894), 268-2011 dated 23 March 2011 (2011, *G.O.* 2, 895), 416-2011 dated 13 April 2011 (2011, *G.O.* 2, 1012), 457-2011 dated 4 May 2011 (2011, *G.O.* 2, 1090), 458-2011 dated 4 May 2011 (2011, *G.O.* 2, 1091), 459-2011 dated 4 May 2011 (2011, *G.O.* 2, 1092) and 460-2011 dated 4 May 2011 (2011, *G.O.* 2, 1093). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

Gouvernement du Québec

**O.C. 535-2011**, 25 May 2011

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

**Trapping activities and fur trade**  
— **Amendment**

Regulation to amend the Regulation respecting trapping activities and the fur trade

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

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing norms, conditions and obligations respecting the registration of animals and fixing the fees exigible for the registration;

WHEREAS the Government made the Regulation respecting trapping activities and the fur trade (R.R.Q., c. C-61.1, r. 3);

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 trapping activities and the fur trade was published in Part 2 of the *Gazette officielle du Québec* of 15 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 without amendment:

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting trapping and the fur trade, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting trapping activities and the fur trade**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, ss. 55, 97, par. 2, and 162, pars. 14 and 16)

**1.** The Regulation respecting trapping activities and the fur trade (c. C-61.1, r. 3) is amended in section 2 by replacing “I” in the definition of fur-bearing animal by “I.1 of the Regulation respecting trapping and the fur trade (c. C-61.1, r. 21)”.

**2.** Sections 3 and 4 are revoked.

**3.** Sections 5, 6 and 7 are amended by replacing “Despite section 3” in the first paragraph by “Despite section 4 of the Regulation respecting trapping and the fur trade”.

**4.** Sections 8, 9, 10 and 12 are revoked.

**5.** Section 13 is amended

(1) by replacing “Act” in the first paragraph by “Act respecting the conservation and development of wildlife”;

(2) by striking out “; he must also pay the registration fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32)” in the first paragraph;

(3) by adding the following paragraphs at the end:

“The holder of a trapping licence must pay black bear registration fees of \$6.00.

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

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

**6.** Section 16 is amended

(1) by replacing “the rent determined by the Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32)” by “a rent corresponding to \$1.61/km<sup>2</sup>”;

(2) by adding the following paragraphs:

“Despite the first paragraph, the rent may not be less than \$16.28.

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

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

**7.** Sections 26 and 27 are revoked.

**8.** Section 32 is amended by replacing “8 to 13, 16, 17, 19 to 21 and 27 to 31” by “5 to 7, 11, 13, 17, 19, 20 and 28 to 31”.

**9.** Schedule I is revoked.

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

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## M.O., 2011

### Order number AM 2011-020 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife, dated 4 May 2011

Regulation to amend the Regulation respecting trapping and the fur trade

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

CONSIDERING sections 56 and 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provide that the Minister may make regulations on the matters set forth therein;

CONSIDERING the first paragraph of section 164 of the Act, which provides, among other things, that a regulation made under section 56 and subparagraphs 1 to 3 and 12 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting trapping and the fur trade (R.R.Q., c. C-61.1, r. 21);

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

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting trapping and the fur trade, attached hereto, is hereby made.

Québec, on 4 May 2011

SERGE SIMARD, <i>Minister for Natural Resources and Wildlife</i>	NATHALIE NORMANDEAU, <i>Minister of Natural Resources and Wildlife</i>
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## Regulation to amend the Regulation respecting trapping and the fur trade

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, ss. 56 and 163, 1st par., subpars. 1, 3 and 12, and 2nd par.)

**1.** The Regulation respecting trapping and the fur trade (c. C-61.1, r. 21) is amended in section 2 in respect of the definition of “fur-bearing animal” by replacing “Schedule I to the Regulation respecting trapping activities and the fur trade (c. C-61.1, r. 3)” by “Schedule 0.1”.

**2.** Section 3 is amended

(1) by replacing “31 August” in the second paragraph by “1 July”;

(2) by replacing “2” in the third paragraph by “4”.

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

“**4.** To obtain one of the licences provided for in section 3, a person must, at the time of application,

(1) provide the person issuing the licence applied for with the person’s name, address and date of birth;

(2) in the case of a resident, hold a hunter’s or trapper’s certificate under the Regulation respecting hunting (c. C-61.1, r. 12), certifying that the person is qualified to trap and bearing code “P”, and provide the certificate number; and

(3) be at least 12 years of age, if the person is a non-resident.”.

**4.** Section 5 is amended

(1) by inserting “professional” in the part preceding subparagraph 1 of the first paragraph before “trapping”;

(2) by replacing subparagraph 2 of the first paragraph by the following:

“(2) in the case of a resident, the hunter’s or trapper’s certificate number;”.

**5.** The following is inserted after section 5:

“6. The holder of a professional trapping licence must enter his or her name, address and date of birth on the back of the licence when any of those particulars do not appear on the front of the licence or are inaccurate.

7. A person may not hold more than one professional trapping licence, except if it is a licence replaced in accordance with section 10.”.

**6.** The following is added before section 11:

“10.1. The holder of a non-resident’s professional trapping licence may trap only

(1) on his or her private land; or

(2) in the territory described in the lease of exclusive trapping rights of the holder of an outfitter’s licence or a professional trapping licence.

10.2. The holder of a professional trapping licence must, to trap in a territory where exclusive trapping rights have been granted,

(1) have entered into a lease of exclusive trapping rights; or

(2) carry a document attesting to the authorization obtained under section 96 of the Act respecting the conservation and development of wildlife when carrying on trapping activities and show it to a wildlife protection officer or wildlife protection assistant if so requested.

A person who does not hold a professional trapping licence but who is authorized to use such a licence under sections 5 to 7 of the Regulation respecting trapping activities and the fur trade (c. C-61.1, r. 3) must also, to trap in a territory where exclusive trapping rights have been granted, carry that attestation when carrying on trapping activities in such territory and show it to a wildlife protection officer or wildlife protection assistant if so requested.

10.3. The holder of a professional trapping licence must, when trading in undressed pelts from hunted or trapped fur-bearing animals, declare the number of the FAMU from which the traded fur originates and sign, where applicable, the register referred to in paragraph 1 of section 19.2.”.

**7.** Section 17 is amended

(1) by replacing “bears or” in the part preceding subparagraph 1 of the first paragraph by “bears and”;

(2) by inserting “1 to 5,” after “FAMUs” in subparagraph 4 of the first paragraph;

(3) by striking out subparagraph 7 of the first paragraph;

(4) by replacing “section 10 of the Regulation respecting trapping activities and the fur trade (c. C-61.1, r. 3)” in the second paragraph by “section 10.2”.

8. Section 18 is amended by replacing “the Act” in the part preceding paragraph 1 by “the Act respecting the conservation and development of wildlife”.

**9.** Section 19.1 is replaced by the following:

“19.1. To obtain one the licences provided for in section 18, a person must

(1) state on the form provided by the Minister the person’s name and address and sign it; in the case of a legal person, its name and the address of its head office; in the case of a partnership, the name and the address of its main place of business; in the case of a natural person carrying on business under another name, that name, the name and address of the person and the address of the person’s main place of business; and

(2) indicate the class of the licence applied for.

19.2. The holder of one of the licences provided for in section 18 must comply with the following requirements:

(1) keep a numbered register, provided by the Minister, of the undressed pelts of hunted or trapped animals that are purchased or received and enter in it

(a) his or her licence number;

(b) the date of each purchase or receipt of undressed pelts and the total number of undressed pelts for each species;

(c) the origin of the pelts with the following particulars:

i. the name, address and date of birth of the trapper or hunter, the number of the FAMU where the animal was trapped or the number of the zone where the animal was hunted, the number of the hunter's or trapper's certificate referred to in paragraph 2 of section 4 and, in the case of a registered Indian within the meaning of the Indian Act (R.S.C. 1985, c. I-5), the name of the band to which he or she belongs;

ii. the number of the trader's licence and the form number on the register of the undressed pelts of hunted or trapped animals that are sold or shipped referred to in paragraph 2; and

iii. the name and address of the exporter, the number of the document issued for export purposes by the authority of the exporter's territory of origin and the number of the customs form, where applicable, for pelts from outside Canada; and

(d) in the case of undressed pelts from black bears and polar bears, the number of the tag provided by the Minister or the number of the transportation coupon or the export form issued by the authority of their territory of origin;

(2) keep a numbered register, provided by the Minister, of the undressed pelts of hunted or trapped animals that are sold or shipped and enter on it

(a) his or her licence number;

(b) the date of each sale or shipment of undressed pelts and the total number of undressed pelts in each species; and

(c) the name and address of the person for whom the pelts are intended and, where applicable, the number of the export form issued by the Minister under section 29 of the Regulation respecting trapping activities and the fur trade for undressed pelts shipped outside Québec or the number of the licence provided for in section 18 for undressed pelts shipped to Québec;

(3) keep a monthly numbered register, provided by the Minister, of the inventory of undressed pelts for each hunted or trapped species, in which the licence holder must enter every month

(a) his or her name, address and licence number;

(b) the total number of undressed pelts in his or her possession at the beginning of the month;

(c) the total number of undressed pelts purchased or received during the month;

(d) the total number of undressed pelts sold or shipped during the month;

(e) the total number of dressed pelts or pelts having been dressed for taxidermy purposes during the month; and

(f) the total number of undressed pelts in his or her possession at the end of the month;

(4) keep a numbered register, provided by the Minister, of the duties remitted on the undressed pelts of animals hunted or trapped in Québec, in which the licence holder must enter every month

(a) his or her name and licence number; and

(b) the amount of the duties determined under the Regulation respecting the scale of fees and duties related to the development of wildlife, for the undressed pelts of animals hunted or trapped in Québec;

(5) sign the registers prescribed in paragraphs 1 to 4;

(6) have the register prescribed in paragraph 1 signed by the trapper or hunter for the information obtained by the latter in accordance with subparagraph c of paragraph 1;

(7) send a copy of the register form without delay to the seller or shipper for each purchase or receipt made in accordance with paragraph 1;

(8) include with the pelts of the purchaser or recipient a copy of the register form for each sale or shipment made in accordance with paragraph 2;

(9) send to the Minister, on or before the 10th of each month, the copies of the completed forms of the registers prescribed in paragraphs 1 to 4 for the preceding month and the copies of the cancelled forms of those registers;

(10) remit to the Minister, on or before the 10th of each month, the total amount of the duties for the preceding month referred to in paragraph 4;

(11) notify without delay a wildlife protection officer where the licence holder has possession of any of the following pelts:

(a) an undressed pelt of a black bear hunted or trapped in Québec without a transportation coupon provided by the Minister;

(b) an undressed pelt of a polar bear without the tag provided by the Minister or not indicating the territory of origin; or

(c) an undressed pelt of a bobcat, grey fox or wolverine hunted or trapped in Québec but outside the territory referred to in section 2 of the Act respecting Cree, Inuit and Naskapi Native persons (R.S.Q., c. A-33.1); and

(12) return to the Minister all unused registers within 30 days of the cessation of his or her activities.”.

**10.** The following is added after section 19.1:

**“CHAPTER III.1  
PENAL**

**19.3.** Any person who contravenes any of sections 6, 7, 10.1 to 10.3, 12 to 14, 17 and 19.2 commits an offence.”.

**11.** The Regulation is amended by replacing the term “trapping licence” wherever it appears by “professional trapping licence”

**12.** Schedule 0.1 attached hereto is added to the Regulation.

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

**SCHEDULE 0.1**

(s. 2)

**FUR-BEARING ANIMALS**

Common name	Scientific name
1. Long-tailed weasel	<i>Mustela frenata</i>
2. Least weasel	<i>Mustela nivalis</i>
3. Wolverine	<i>Gulo gulo</i>
4. Beaver	<i>Castor canadensis</i>
5. Coyote	<i>Canis latrans</i>
6. Red squirrel	<i>Tamiasciurus hudsonicus</i>
7. Grey squirrel	<i>Sciurus carolinensis</i>
8. Ermine	<i>Mustela erminea</i>
9. Wolf	<i>Canis lupus</i>
10. River otter	<i>Lutra canadensis</i>
11. Canadian lynx	<i>Lynx canadensis</i>

Common name	Scientific name
12. Bobcat	<i>Lynx rufus</i>
13. American marten	<i>Martes americana</i>
14. Striped skunk	<i>Mephitis mephitis</i>
15. Polar bear	<i>Ursus maritimus</i>
16. Black bear	<i>Ursus americanus</i>
17. Fisher	<i>Martes pennanti</i>
18. Muskrat	<i>Ondatra zibethicus</i>
19. Raccoon	<i>Procyon lotor</i>
20. Red fox (silver, crossbred or red)	<i>Vulpes vulpes</i>
21. Arctic fox (white or blue)	<i>Alopex lagopus</i>
22. Grey fox	<i>Urocyon cinereoargenteus</i>
23. American mink	<i>Mustela vison</i>

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**M.O., 2011**

**Order number AM 2011-021 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife, dated 4 May 2011**

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

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

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

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

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 15 December 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDER AS FOLLOWS:

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

Québec, on 4 May 2011

SERGE SIMARD,  
*Minister for Natural  
Resources and Wildlife*

NATHALIE NORMANDEAU,  
*Minister of Natural  
Resources and Wildlife*

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

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

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

**2.** Section 12 is amended

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

(2) by striking out paragraph 1.

**3.** Section 14.1 is revoked.

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



## Draft Regulations

### Draft Regulation

Environment Quality Act  
(R.S.Q., c. Q-2)

#### Greenhouse gas emissions from motor vehicles — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles, appearing below, may be made by the Government on the expiry of 60 days following this publication.

This amendment is mainly to consider the vehicle fleet of a manufacturer that complies with the provisions of the federal regulation for greenhouse gas emissions of passenger automobiles or light trucks as complying with Québec standards for the 2012-2016 model years.

The draft Regulation also allows a manufacturer to agree with the Minister on the information and documents that are to be filed so that the Minister may assess the greenhouse gases produced by the vehicle fleet marketed in Québec by the manufacturer.

The impact of the draft Regulation on enterprises will be more flexibility to comply with Québec standards regarding greenhouse gas emissions from motor vehicles.

Further information may be obtained by contacting Guylaine Bouchard, Bureau des changements climatiques, Ministère du Développement durable, de l'Environnement et des Parcs, telephone: 418 521-3868, extension 4626; fax: 418 646-4920.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to Guylaine Bouchard, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 6<sup>e</sup> étage, boîte 30, Québec (Québec) G1R 5V7.

PIERRE ARCAND,  
*Minister of Sustainable Development,  
Environment and Parks*

### Regulation to amend the Regulation respecting greenhouse gas emissions from motor vehicles\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. c, d and e)

**1.** The Regulation respecting greenhouse gas emissions from motor vehicles is amended in section 21 by adding the following paragraph at the end:

“A person responsible under section 11 who provides the Minister with equivalent annual information and data, pursuant to an agreement entered into under section 12 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (R.S.Q., c. M-30.001), is exempted from the obligations provided for in the first and second paragraphs.”.

**2.** The following is inserted after section 25:

“**25.1.** For each 2012-2016 model years, the provisions of Chapter II and of Division I of Chapter III do not apply to vehicle manufacturers that comply with the provisions of the Passenger Automobile and Light Truck Greenhouse Gas Emission Regulations (SOR/2010-201) made by the Governor General in Council.”.

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

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### Draft Regulation

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

#### Physicians — Activities that may be engaged in within the framework of pre-hospital emergency services

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital

\* The Regulation respecting greenhouse gas emissions from motor vehicles, made by Order in Council 1269-2009 (2009, G.O. 2, 4217), has not been amended since it was made.

emergency services and care”, made by the board of directors of the Collège des médecins du Québec, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this Regulation is principally to authorize new medical activities to the ambulance technician trained in advanced care. It also authorizes any person having received training on the administration of oxygen to administer that substance to a person while awaiting the arrival of pre-hospital emergency services.

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

Further information may be obtained by contacting, Mre Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: 514 933-4441, extension 5362, facsimile number: 514 933-5374, e-mail: lbelanger@cmq.org

Any person having comments to make on the following text is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10th floor, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister of Justice, namely the Collège des médecins du Québec, as well as to interested persons, ministries and organizations.

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

## **Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care**

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

### **DIVISION I GENERAL PROVISIONS**

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

in by a first responder, an ambulance technician, an ambulance technician trained in advanced care or by other persons within the framework of pre-hospital emergency services and care, for a person with a health problem that requires emergency intervention.

**2.** In the absence of a first responder or ambulance technician, any person who has received training in cardiopulmonary resuscitation meeting the standards prescribed by the American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care and including the use of the defibrillator may use the automated external defibrillator when performing cardio-respiratory resuscitation.

**3.** In the absence of a first responder or ambulance technician, any person having received training in the administration of adrenalin approved by the regional or national medical director of pre-hospital emergency services may administer adrenalin with an auto-injection device to a person in the case of an acute anaphylactic allergic reaction

**4.** Any person having received training on the administration of oxygen may administer that substance to a person while awaiting the arrival of pre-hospital emergency services.

**5.** The professional activities authorized in this regulation are engaged in under the clinical protocols developed by the Minister of Health and Social Services pursuant to section 3 of the Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2) and approved by the Collège des médecins du Québec.

### **DIVISION II ACTIVITIES AUTHORIZED FOR A FIRST RESPONDER**

**6.** The first responder may:

- (1) use the automated external defibrillator for cardiopulmonary resuscitation;
- (2) administer adrenalin with an auto-injection device in case of an acute anaphylactic allergic reaction.
- (3) assist ventilation with a bag valve mask;
- (4) insert a nasopharyngeal airway.

First responder” means a person whose name is on the list of first responders drawn up by an agency pursuant to section 339 of the Act respecting health services

and social services (R.S.Q., c. S-4.2) or by Corporation d'urgences-santé pursuant to section 87 of the Act respecting pre-hospital emergency services (R.S.Q., c. S-6.2).

### SECTION III

#### ACTIVITIES AUTHORIZED FOR AN AMBULANCE TECHNICIAN

**7.** To be authorized to engage in the professional activities described in section 8, the ambulance technician must be registered with an active status in the national workforce registry established and maintained by the Minister of Health and Social Services.

**8.** In addition to the activities contemplated in section 6, the ambulance technician, may:

(1) assess the presence of signs or symptoms allowing the application of the protocols contemplated in section 5 in a person with a health problem that requires emergency intervention;

(2) insert a dual lumen esophago-tracheal tube in a person experiencing cardiopulmonary arrest or with an impaired state of consciousness and a respiratory rate of less than 8 breaths per minute;

(3) administer necessary substances or medications sublingually, orally, intranasally, subcutaneously, intramuscularly, transcutaneously or by inhalation;

(4) introduce an intravenous solution not containing medication using a short peripheral catheter at the request and in the presence of an ambulance technician trained in advanced care;

(5) use the semi-automatic defibrillator monitor for cardiopulmonary resuscitation;

(6) provide clinical monitoring of the condition of a person;

(7) mechanically assist ventilation, including through an endotracheal tube already in place;

(8) aspirate secretions in a person with a tracheotomy.

**9.** Authorized to engage in the professional activities referred to in sections 6 and 8 is any person to whom a valid identity card and a compliance certificate has been issued by a regional board or Corporation d'urgences-santé between April 1, 2000 and April 1, 2003, and who is registered in the national workforce registry of ambulance technicians.

### DIVISION IV

#### ACTIVITIES AUTHORIZED FOR AN AMBULANCE TECHNICIAN TRAINED IN ADVANCED CARE

**10.** In order to be authorized to engage in the professional activities described in sections 12 and 13, the ambulance technician trained in advanced care must:

(1) have relevant experience totalling 24 months full time and have practiced for at least 700 hours during the last two years;

(2) have a university diploma in advanced emergency pre-hospital care issued by a Québec university;

(3) be registered in the national workforce registry of ambulance technicians with an active status authorizing the practice of advanced pre-hospital care.

**11.** Likewise authorized to engage in the professional activities described in sections 12 and 13 is the ambulance technician trained in advanced care who, as of April 1, 2002, has passed the advanced care training recognized by Corporation d'urgences-santé and approved by the Collège des médecins du Québec and who:

(1) is registered in the national workforce registry of ambulance technicians with an active status authorizing him to engage in advanced pre-hospital care;

(2) has successfully completed, as part of a training program in pre-hospital care recognized by the national medical director of emergency pre-hospital care, supplementary training of 175 hours involving in particular:

a) cardiology;

b) neurology;

c) pharmacology;

d) pneumology;

e) physiology;

f) pre-hospital protocols.

**12.** The ambulance technician in advanced care, in addition to the activities contemplated in Divisions II and III, may:

(1) assess the condition of a person;

(2) administer intravenously or endotracheally substances and medications to an adult person;

(3) perform a direct laryngoscopy of a person whose respiratory tract is obstructed by a foreign body and proceed to withdraw it;

(4) perform a manual defibrillation;

He may also, as part of a research project designed to evaluate advanced pre-hospital emergency care, proceed with the endotracheal intubation of an adult person experiencing cardiopulmonary arrest or with an impaired state of consciousness.

**13.** The ambulance technician in advanced care, in addition to the activities contemplated by section 12 and in Divisions II and III, may, further to an individual prescription:

(1) administer intraosseously required substances or medications;

(2) use the following invasive techniques:

*a)* perform a thoracentesis using a needle technique in a patient in a preterminal state, receiving ventilation support;

*b)* apply external cardiac stimulation;

*c)* perform cardioversion;

*d)* perform a percutaneous cricothyroidotomy.

The first paragraph notwithstanding, if the communication with a physician is impossible, the ambulance technician in advanced care, may, for an unstable patient, use the invasive techniques provided in subparagraph (2) of the first paragraph.

## DIVISION V

### ACTIVITIES AUTHORIZED FOR A STUDENT

**14.** A student duly enrolled in a program of studies leading to a collegial diploma in emergency pre-hospital care, in the presence of a physician, another qualified professional, a medical resident or an ambulance technician recognized as an instructor by an institution of collegial studies, may engage in the professional activities contemplated by sections 6 and 8 insofar as they are required for the completion of this program.

**15.** A student duly registered in a program of studies leading to a diploma contemplated in paragraph (2) of section 10, in the presence of a physician, another qualified professional, a medical resident or an ambulance technician in advanced care recognized as an instructor

by the university program of studies, may engage in the professional activities contemplated by sections 12 and 13 insofar as they are required for the completion of this program.

**16.** This regulation replaces the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services (c. M-9, r. 2).

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

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

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