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Part

2

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Laws and Regulations

Volume 144

Summary

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Regulations and other Acts

Gouvernement du Québec

O.C. 43-2012, 1 February 2012

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)

Consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

— Amendment

Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

WHEREAS, by resolution 2011-15 dated 29 April 2011, the board of directors of Immobilière SHQ made the Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8), the by-laws of the Société are subject to approval by the Government and come into force on the date of their publication in the *Gazette officielle du Québec* or on such later date as is determined therein;

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 consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ was published in Part 2 of the *Gazette officielle du Québec* of 28 September 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS Immobilière SHQ was dissolved on 1 October 2011 with the coming into force of the Act to abolish the Ministère des Services gouvernementaux and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds (2011, c. 16);

WHEREAS sections 221 to 227 of that Act provide for the transfer of immovables, rights and obligations of Immobilière SHQ to the Société d'habitation du Québec;

WHEREAS section 214 of that Act amended the Act respecting the Société d'habitation du Québec to introduce section 3.6, under which the Société d'habitation du Québec may determine by by-law the consideration to be paid by housing bureaus and other non-profit organizations for the use of its immovables;

WHEREAS section 229 of that Act establishes that the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of Immobilière SHQ (R.R.Q., c. I-0.3, r. 1), made under section 23 of the Act respecting Immobilière SHQ, is deemed to have been made under section 3.6 of the Act respecting the Société d'habitation du Québec;

WHEREAS paragraph 16 of section 244 of that Act specifies that, in any other Act, regulation, by-law, order in council, ministerial order, contract or other document, unless the context indicates otherwise and with the necessary modifications, a reference to Immobilière SHQ is a reference to the Société d'habitation du Québec;

WHEREAS amendments have been made to the draft Regulation, as published, since the coming into force of that Act;

WHEREAS no comments were made following the publication of the draft Regulation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 3.6)

1. The Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec (R.R.Q., c. S-8, r. 5) is amended in its title by striking out “municipal”.

2. Section 1 is amended

(1) by striking out “municipal”;

(2) by adding the following paragraph:

“An additional amount, equal to the difference between the amounts used to finance the capital expenditures of that immovable and the part of the loan referred to in the first paragraph that was used to finance the capital expenditures, is also payable by the housing bureau or non-profit organization. That amount is established by taking into account the amortization period of the loan related to those expenditures, plus interest.”.

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

1901

Gouvernement du Québec

O.C. 58-2012, 1 February 2012

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

Notaries

— Code of ethics
— Amendment

Regulation to amend the Code of ethics of notaries

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 Chambre des notaires du Québec made the Regulation to amend the Code of ethics of notaries;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Code of ethics of notaries was published in Part 2 of the *Gazette officielle du Québec* of 27 July 2011 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 to amend the Code of ethics of notaries, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of notaries

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

1. The Code of ethics of notaries (c. N-3, r. 2) is amended by the replacement of section 26 with the following:

“26. A notary must cease to render professional services where he has serious cause, in particular, where

(1) there is a loss of confidence between the notary and the client;

(2) his professional independence could be called into question;

(3) he is induced to perform illegal or fraudulent acts;

(4) he has reasonable grounds to suspect that he is assisting or may assist in the commission of an illegal or fraudulent act.”.

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

1902

Gouvernement du Québec

O.C. 59-2012, 1 February 2012

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

Notaires

— **Compensation fund of the Chambre**

Regulation respecting the compensation fund of the Chambre des notaires du Québec

WHEREAS, under section 89.1 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order authorizing the members of the order to hold funds or property must determine by regulation the compensation procedure and, if appropriate, conditions for the setting up of a compensation fund and rules for the administration and investment of the sums making up the fund;

WHEREAS the Regulation respecting trust accounting by notaries made by the board of directors of the Chambre des notaires du Québec pursuant to section 89 of the Professional Code authorizes its members to hold funds or property;

WHEREAS the board of directors made the Regulation respecting the compensation fund of the Chambre des notaires du Québec;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the compensation fund of the Chambre des notaires du Québec was published in Part 2 of the *Gazette officielle du Québec* of 27 July 2011 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 made 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 respecting the compensation fund of the Chambre des notaires du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the compensation fund of the Chambre des notaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 89.1)

DIVISION I GENERAL

§1. Compensation Fund

1. The Board of Directors of the Chambre des notaires du Québec shall establish a compensation fund to compensate a claimant, subject to section 18, for the use of moneys or property by a notary for purposes other than those for which they were entrusted to him in the practice of his profession pursuant to a contract for services.

2. The compensation fund must be maintained at not less than \$500,000 and shall consist of:

(1) moneys allocated to the fund by the Board of Directors;

(2) assessments levied for that purpose;

(3) moneys or property recovered from notaries by subrogation or pursuant to section 159 of the Professional Code (R.S.Q., c. C-26);

(4) income earned on the moneys and property making up the fund;

(5) moneys paid by an insurer under an insurance policy held by the Executive Committee.

§2. *Rules for the administration and investment of the fund*

3. The Executive Committee administers the fund and withdraws administration fees. In particular, the Executive Committee is authorized to conclude any contract of insurance or reinsurance for the purposes of the fund and to pay the premiums out of the fund.

4. The Executive Committee shall keep an accounting of the fund, separate from that of the Order.

5. The moneys making up the fund shall be invested by the Executive Committee as follows:

(1) the moneys the Executive Committee expects to use in the short term shall be deposited in a financial institution governed by the Act respecting trust companies and savings companies (R.S.Q. c. S-29.01), the Bank Act (S.C. 1991, c. 46), the Act respecting financial services cooperatives (R.S.Q., c. C-67.3), or the Trust and Loan Companies Act (S.C. 1991, c. 45);

(2) the other moneys shall be entrusted to an investment manager for investment in short term securities, fixed interest securities, Canadian or foreign shares, in accordance with the investment policy adopted by the Board of Directors.

DIVISION II
COMPENSATION FUND COMMITTEE

6. A compensation fund committee, hereinafter called the “Committee,” shall be established by the Board of Directors to examine the claims against the fund. It shall comprise no fewer than five members appointed by the

Board of Directors from among notaries entered on the roll of the Order for at least 10 years and the directors appointed to the Board of Directors by the Office des professions du Québec pursuant to section 78 of the Professional Code. At least one of the members must be a director.

The chairman of the Committee is designated by the members.

The quorum of the Committee is a majority of its members.

7. Where the number of Committee members so permits, the Committee may sit in divisions comprising five members, one of whom shall be the chairman or another Committee member designated by division members as chairman of the division, and another member chosen from among the directors appointed by the Office.

The quorum of a division is three members.

8. Committee members remain in office at the end of their mandates until they are reappointed or replaced by the Board of Directors.

9. The Board of Directors shall appoint the secretary of the Committee and, as needed, one or more assistant secretaries who perform the same duties as the secretary.

DIVISION III
COMPENSATION PROCEDURE

10. Claims against the fund must:

(1) be in writing;

(2) state all supporting facts and be accompanied by all relevant documents;

(3) indicate the amount claimed; and

(4) be sworn and filed with the secretary of the Committee.

11. The secretary of the Committee shall inform members of any claim against the fund at the first meeting after the claim is filed.

If the Committee has not completed its inquiry into the claim within 90 days after the claim is filed, the secretary of the Committee shall, upon expiry of that period, notify the claimant in writing and report to him on the Committee’s progress. Until the Committee has

completed its inquiry, the secretary of the Committee shall, every 60 days following expiry of the 90 day period, notify the claimant in writing that the inquiry is continuing and report on the Committee's progress.

The obligation to notify the claimant as set out in the second paragraph does not apply to the situation contemplated in section 20.

12. To be admissible, a claim against the fund must be filed within one year of the claimant's knowledge that moneys or property have been used for purposes other than those for which they were entrusted to the notary in the practice of his profession.

Subject to section 13, a claim that is not filed within the prescribed period is inadmissible.

13. The period prescribed in section 12 may be extended if the claimant demonstrates that he was unable to file the claim within the prescribed period for reasons beyond his control.

14. An application by any person to the Order in respect of facts likely to give rise to a claim against the fund is deemed to be a claim within the meaning of section 10 if the application is sent within the period prescribed in section 12.

15. The committee shall decide, in respect of any claim not exceeding \$30,000 against the fund, whether the claim should be allowed, in whole or in part, and if so, shall determine the amount of compensation. The decision of the Committee is final.

16. The Executive Committee, upon the recommendation of the Committee, shall decide, in respect of any claim exceeding \$30,000 against the fund, whether the claim should be allowed, in whole or in part, and if so, shall determine the amount of compensation. The Executive Committee may, if it deems necessary, consult with the syndic. The decision of the Executive Committee is final.

17. A decision may be rendered in respect of a claim regardless of any action filed by the claimant in a civil court, any judgment rendered by such court, or any decision of the disciplinary council or the Professions Tribunal in respect of the notary in question.

18. The maximum indemnity payable out of the fund is \$100,000 per claim arising from a notary's use, in connection with a contract for services, of moneys or property for purposes other than those for which they were entrusted to him in the practice of his profession.

The maximum indemnity payable out of the fund is \$100,000 for the aggregate of claims addressed to the fund arising from a notary's use, in connection with one or more contracts for services concluded with several persons for the same service, of moneys or property for purposes other than those for which they were entrusted to him in the practice of his profession. Where the total of the claims allowed in a case contemplated in this paragraph exceeds the maximum indemnity, the indemnity is distributed in proportion to the amount of each claim.

For the purposes of this section, service includes the performance of professional services by a notary pursuant to a contract for services for the benefit of two or more persons, in particular but without limiting the foregoing, the acquisition or sale of a family residence or an undivided co-ownership, the settlement of a succession, the creation of a patrimony by appropriation or of the constitution of a legal person, and any investment of a movable or immovable nature.

19. The maximum compensation payable shall be reviewed every five years after this regulation comes into force.

20. The balance of a notary's general trust account shall, subject to section 42 of the Regulation respecting trust accounting by notaries (c. N-3, r. 5), be distributed by the secretary of the Committee among the claimants in respect of the notary, in proportion and up to the amount of each claim allowed, less the sum paid pursuant to section 18, at the expiry of 60 days following publication of a notice to that effect in a newspaper circulating in the place where the notary has or had his professional domicile.

The secretary of the Committee shall cause the notice to be published after one year has elapsed without any new claim exceeding \$100,000 against the fund in respect of that notary.

21. The claimant shall sign an acquittance in favour of the Order upon payment of the compensation.

DIVISION IV **TRANSITIONAL AND FINAL**

22. This regulation replaces the Regulation respecting trust accounting by notaries (c. N-3, r. 5).

However the Regulation respecting trust accounting by notaries shall continue to govern claims filed against the fund before 1 March 2012.

23. The compensation fund contemplated in section 2 shall consist of the moneys and property already allocated for this purpose as at 1 March 2012.

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

1903

Gouvernement du Québec

O.C. 64-2012, 1 February 2012

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

Hunting and fishing controlled zones — Amendment

WHEREAS, under subparagraphs 1 to 4 and 9 of the first paragraph of section 110 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and paragraph 14 of section 162 of the Act, the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting hunting and fishing controlled zones (R.R.Q., c. C-61.1, r. 78);

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 hunting and fishing controlled zones was published in Part 2 of the *Gazette officielle du Québec* of 16 March 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 amendments;

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 hunting and fishing controlled zones, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting and fishing controlled zones

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 110, pars. 1 to 4 and 9, and s. 162, par. 14)

1. The Regulation respecting hunting and fishing controlled zones (R.R.Q., c. C-61.1, r. 78) is amended by inserting the following definitions in alphabetical order in section 1:

“developed campground” means an area developed for a minimum of 10 campsites for leasing to the public and offering electricity or running water service for each campsite or group of not more than 20 campsites, and its service areas; (*camping aménagé*)

“wilderness campground” means a site developed for camping not for leasing with no electricity or running water service; (*camping rustique*)”.

2. Section 3 is amended by replacing the second and third paragraphs by the following:

“Such person must comply with the following registration procedure:

(1) identify himself or herself with the person’s name and address, an identification number and, where applicable, the number of the person’s hunting or fishing licence;

(2) specify a single location or, as the case may be, a single sector in which the person will be hunting or fishing and the date of the activity, for each day of hunting or fishing;

(3) specify a location or, as the case may be, a sector where the person will carry on a recreational activity that is part of a development plan approved by the Minister in accordance with section 106.0.1 of the Act and the date of each day on which the activity will be carried on;

(4) obtain proof of registration and place it on the dashboard of the person’s vehicle so that it may be read from the outside or carry and produce it upon request from a wildlife protection officer, a wildlife protection assistant or an area warden; the duly completed registration is to be deposited at the reception centre on leaving the controlled zone; and

(5) pay the fees payable.

Subject to the fourth paragraph, a person may have the choice of location or sector for hunting, fishing or a recreational activity referred to in subparagraph 3 of the second paragraph modified by a registration officer by paying the difference if the person requests to be transferred to a location or sector for which the fees are higher. If there are no additional fees to be paid, the person may also have it done by a wildlife protection officer, a wildlife protection assistant or an area warden if they are able to immediately notify the registration officer. This paragraph does not apply to a person who hunts in a limited access sector.”.

3. Section 4 is amended by inserting “and the person is unable to register by a remote registration service” after “on duty”.

4. Section 7 is amended

(1) by inserting the following after the first paragraph:

“The location or sector specified on the registration does not grant any exclusive hunting or fishing right in that part of the territory.”;

(2) by replacing “species taken” in the second paragraph by “species caught and kept and”.

5. Section 19 is amended

(1) by replacing subparagraph 2 of the second paragraph by the following:

“(2) a person who travels in a ZEC solely to reach a private property located in the territory of the ZEC but not forming part of the ZEC;”;

(2) by adding the following after subparagraph 2 of the second paragraph:

“(2.1) a person who travels in a ZEC solely to reach a principal residence or private property and come back from there, if there is no other practicable road possible;”.

6. Section 25.1 is replaced by the following:

“**25.1.** An agency may, by by-law, prohibit or authorize a recreational activity on the conditions determined by the agency in a sector it has established for recreational activities, provided that the activity is part of a development plan approved by the Minister in accordance with section 106.0.1 of the Act.

Regarding camping, the agency must ensure that 25% of the wilderness campgrounds are reserved for three-week stays or shorter.

No agency may prohibit tent camping in its territory.”.

7. The following is inserted after section 25.2:

“**25.3.** A person authorized to camp in the territory of a ZEC must comply with the following conditions:

(1) use camping equipment that is mobile, temporary and not attached to the ground; and

(2) with the exception of campgrounds and storage sites set up by the agency, remove the person’s camping equipment from the territory of the ZEC from the later of the following dates, November 30 or 48 hours after the end of big game hunting in the territory of the ZEC, until 15 April.

DIVISION IV.2

ASSIGNMENT FOR PROMOTIONAL PURPOSES

25.4. Despite Division III, an agency may assign a number of hunters and fishers to any sector of the ZEC for promotional purposes and according to the procedure it determines by by-law; however, that number may not exceed the maximum provided for in Division III and the annual value of that assignment must not exceed \$1,000.”.

8. Section 27 is replaced by the following:

“**27.** An agency may, by by-law, prohibit the recreational use of motor vehicles intended to be operated off public highways during the moose or white-tailed deer hunting season determined by the Regulation respecting hunting (c. C-61.1, r. 12), except where the vehicle is used to retrieve the carcass of such animal.”.

9. Section 29 is replaced by the following:

“**29.** Any person who contravenes any of sections 3, 4, 7, 9, 14, 17, 19, 19.1, 25.2, 25.3, 27.1, 27.2 and 28 or any section of a by-law made by an agency pursuant to sections 6, 25.1, 26 and 27, commits an offence.”.

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

Gouvernement du Québec

O.C. 78-2012, 8 February 2012

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

Financial Administration Act
(R.S.Q., c. A-6.001)

Forms and statements of fees under the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

WHEREAS, under subparagraph *c* of the first paragraph of section 72 of the Health Insurance Act (R.S.Q., c. A-29), the Régie de l'assurance maladie du Québec may, by regulation, set the amount of the costs exigible for the replacement of a health insurance card before its expiry;

WHEREAS, under subparagraph *c.2* of the first paragraph of that section, the Régie de l'assurance maladie du Québec may, by regulation, set the amount of costs payable for an application to re-register in the case of an insured person who fails to send the Régie a registration renewal notice within the time fixed by regulation;

WHEREAS, under the second paragraph of that section, such a regulation of the Régie de l'assurance maladie du Québec must be approved by the Government before coming into force;

WHEREAS, under the first paragraph of section 83.8 of the Financial Administration Act (R.S.Q., c. A-6.001), a fee may be set under that Act to fund a particular public service or a series of public services delivered by a body, provided the law does not otherwise confer the power to set that fee;

WHEREAS, under the second paragraph of that section, such a fee is set by regulation of the body and is approved by the Government, with or without amendment;

WHEREAS the taking of photographs by the Régie, for the purposes of the Regulation respecting forms and statements of fees under the Health Insurance Act (c. A-29, r. 7), is not otherwise provided under a legislative provision;

WHEREAS on 11 May 2011, by Resolution CA-474-11-14, the Régie de l'assurance maladie du Québec passed the draft Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* on 31 August 2011, with notice that it could be submitted for the Government's approval on the expiry of the 45 days following that publication;

WHEREAS it is expedient to approve that Regulation;

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

THAT the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s.72, subpara. *c* and subpara. *c.2*)

Financial Administration Act
(R.S.Q., c. A-6.001, s. 83.8)

1. Section 8.1 of the Regulation respecting forms and statements of fees under the Health Insurance Act (c. A-29, r. 7) is amended by replacing the number "15" by the number "20".

2. Section 8.3 of the Regulation is amended by replacing the number "15" by the number "20".

3. The Regulation is amended by inserting, after section 8.3, the following:

"**8.4** The costs exigible for having a photo taken by the Régie amount to \$9."

4. This Regulation comes into force on 1 march 2012.

Gouvernement du Québec

O.C. 82-2012, 8 February 2012

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

Financial Administration Act
(R.S.Q., c. A-6.001)

Fees exigible and the return of confiscated objects — Amendment

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS, under subparagraph 19 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix the photography fee payable by a person who does not hold a driver's licence upon authentication by the Société of that person's application for renewal of registration with the Régie de l'assurance maladie du Québec;

WHEREAS, under section 83.8 of the Financial Administration Act (R.S.Q., c. A-6.001), a fee may be set under that Act to fund a particular public service or a set of public services delivered by a body, provided the law does not otherwise confer the power to set that fee and that in such a case the fee is set by a regulation of that body;

WHEREAS the Government approved the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (c. C-24.2, r. 27);

WHEREAS the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects at the meeting of the board of directors held on 19 May 2011;

WHEREAS, under section 625 of the Highway Safety Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS, under section 83.8 of the Financial Administration Act, a fee set by a regulation of a government body under that Act must be approved by the Government with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting fees exigible

under the Highway Safety Code and the return of confiscated objects was published in Part 2 of the *Gazette officielle du Québec* of 31 August 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par, subpar. 19)

Financial Administration Act
(R.S.Q., c. A-6.001, s. 83.8)

1. The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects (c. C-24.2, r. 27) is amended in section 4 by revoking subparagraph 2.4 of the first paragraph.

2. The following is inserted after section 4:

“DIVISION 3.1.0.1
FEES EXIGIBLE RELATED TO THE HEALTH INSURANCE CARD ISSUED BY THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

4.0.1. The fees exigible for taking the photograph of a person who is having the Société, or a person designated by it under section 69.1 of the Highway Safety Code, authenticate an application for renewal of registration with the Régie de l'assurance maladie du Québec or for the replacement of a health insurance card, are the same as those exigible by the Board for the same service under section 8.4 of the Regulation respecting forms and statements of fees under the Health Insurance Act (c. A-29, r. 7).

No fees are exigible if the person is required, on such occasion, to replace a licence by a licence bearing the person's photograph.”

3. This Regulation comes into force on 1 march 2012.

1907

Draft Regulations

Draft Regulation

Jurors Act
(R.S.Q., c. J-2)

Indemnities to jurors — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting indemnities and allowances to jurors, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the indemnities currently granted to jurors and clarifies the situations for which such indemnities are granted.

In addition, the draft Regulation provides for an additional indemnity as of the 57th day of jury selection.

Study of the matter has shown no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Conrad Breton, Direction générale des services de justice et des registres, 1200, route de l'Église, 7^e étage, Québec (Québec) G1V 4M1; telephone: 418 644-7700, extension 20154; email: conrad.breton@justice.gouv.qc.ca

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

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting indemnities and allowances to jurors

Jurors Act
(R.S.Q., c. J-2, s. 46)

1. The Regulation respecting indemnities and allowances to jurors (c. J-2, r. 1) is amended by replacing section 1 by the following:

“**1.** When a jury is selected, a juror who is a member thereof is entitled to an indemnity of \$103 per day or part of a day of hearings, deliberations or when the juror remains confined to the premises designated by the sheriff. The indemnity is fixed at \$160 as of the 57th day of jury selection.

Where there are evening hearings or deliberations, the juror is entitled to an additional indemnity of \$52. The indemnity is fixed at \$103 where the deliberations continue until the following day.

A juror is also entitled to an additional indemnity of \$103 where one of the situations for which an indemnity is provided in the first or second paragraph falls on a non-juridical day. The indemnity is fixed at \$160 as of the 57th day of jury selection.”.

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

1897

Municipal Affairs

Gouvernement du Québec

O.C. 42-2012, 1 February 2012

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Rectification of the boundaries of the township of Hatley and Village d'Ayer's Cliff and validation of acts performed by that municipality

WHEREAS, on 20 August 1990, Village d'Ayer's Cliff adopted a by-law providing for the annexation of part of the body of water of the township of Hatley;

WHEREAS the by-law never came into force;

WHEREAS Village d'Ayer's Cliff acted in respect of the territory as if it was subject to its jurisdiction;

WHEREAS it is expedient to include the territory in the boundaries of Village d'Ayer's Cliff and validate the acts it performed in respect of the territory since 20 August 1990;

WHEREAS it is expedient to exclude that territory from the boundaries of the township of Hatley;

WHEREAS the Minister of Municipal Affairs, Regions and Land Occupancy sent Village d'Ayer's Cliff, the township of Hatley and Municipalité régionale de comté de Memphrémagog a notice containing the proposal for the rectification and validation of acts;

WHEREAS Village d'Ayer's Cliff, the township of Hatley and Municipalité régionale de comté de Memphrémagog notified the Minister of their agreement on the proposal;

WHEREAS the Government may, under sections 178 and 192 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) rectify the boundaries of a municipality and validate the acts it performed without right in respect of a territory not subject to its jurisdiction;

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

THAT the boundaries of the township of Hatley and Village d'Ayer's Cliff be rectified and the acts it performed be validated according to the following:

1. the description of the boundaries of Village d'Ayer's Cliff includes the territory described by the Minister of Natural Resources and Wildlife on 19 February 2010; the description appears in the Schedule;

2. the description of the boundaries of the township of Hatley does not include the territory described in the Schedule;

3. no illegality may be raised against the acts performed by Village d'Ayer's Cliff on the grounds that it did not have jurisdiction in respect of the territory described in the Schedule;

4. the rectification and validation of acts have effect since 20 August 1990;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

GILLES PAQUIN,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION PREPARED TO RECTIFY PART OF THE BOUNDARIES OF VILLAGE D'AYER'S CLIFF, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MEMPHRÉMAGOG

A territory currently part of Municipalité du Canton de Hatley, in Municipalité régionale de comté de Memphrémagog, fronting on Village d'Ayer's Cliff, including part of lac Massawippi included in the perimeter that starts from the meeting point of the northwestern line of lot 2102 of the cadastre of the township of Hatley with the southwest shore of the said lake, and that follows successively the following lines and demarcations: northeasterly, in lac Massawippi, a straight line to the meeting point of the centre line of the said lake and the line that links the apex of the northeastern angle of the original lot 1304 of cadastre of the township of Hatley and the northwestern end of the original lot 1263 of the said cadastre; northeasterly, the centre line of lac Massawippi to its meeting with the extension of the centre line of baie Bacon; generally southeasterly, the said extension then the centre line of the said bay to the meeting point of the apex of the northeast angle of the original lot 1061 and the shore of lac Massawippi; lastly, generally easterly, the said shore, to the starting point.

Notices

Notice

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

**Boisé-Papineau Nature Reserve
(Association pour la conservation du boisé Papineau)
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (R.S.Q., c. C-61-01), that the Minister of Sustainable Development, Environment and Parks has recognized as a nature reserve a private property which extends of 1,96 hectares. The property, situated on the territory of the municipality of Laval, Regional County Municipality of Laval, known and designated as being a part the lot number 1 392 199 of the Québec Land Register, Laval Registration Division.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

1899

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

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