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Part

2

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Laws and Regulations

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Contents

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Coming into force of Acts

Gouvernement du Québec

O.C. 1075-2012, 14 November 2012

Sustainable Forest Development Act (2010, c. 3)
— **Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Sustainable Forest Development Act

WHEREAS the Sustainable Forest Development Act (2010, c. 3) was assented to on 1 April 2010;

WHEREAS, in accordance with section 372 of the Act, the provisions of the Act came into force on 1 April 2010, except sections 5, 13 to 35, 38 to 44, 60 to 87, 115 to 118, 126 to 306, 310 to 335, 362 and 371, which come into force on 1 April 2013 or on any earlier date or dates set by the Government and the second paragraph of section 366, which comes into force on the date of coming into force of the regulation made for the application of that paragraph;

WHEREAS, under Order in Council 555-2012 dated 30 May 2012, sections 315 and 320 of the Sustainable Forest Development Act came into force on 30 May 2012;

WHEREAS it is expedient to set 14 November 2012 as the date of coming into force of sections 116 and 126 of the Act;

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

THAT 14 November 2012 be set as the date of coming into force of sections 116 and 126 of the Sustainable Forest Development Act (2010, c. 3).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1100-2012, 21 November 2012

An Act to eliminate union placement and improve the operation of the construction industry (2011, chapter 30)
— **Coming into force of certain provisions of the Act**

COMING INTO FORCE of certain provisions of the Act to eliminate union placement and improve the operation of the construction industry

WHEREAS the Act to eliminate union placement and improve the operation of the construction industry (2011, chapter 30) was assented to on 2 December 2011;

WHEREAS section 88 of the Act provides that section 57 of the Act comes into force on 2 December 2012, unless its coming into force is set by the Government for an earlier date or dates;

WHEREAS it is expedient to set 28 November 2012 as the date of coming into force of section 57 of the Act insofar as it concerns sections 107.3 to 107.6 of the Act to eliminate union placement and improve the operation of the construction industry (chapter R-20);

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

THAT 28 November 2012 be set as the date of coming into force of section 57 of the Act to eliminate union placement and improve the operation of the construction industry (2011, chapter 30) insofar as it concerns sections 107.3 to 107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Regulations and other Acts

Gouvernement du Québec

O.C. 1052-2012, 14 November 2012

Supplemental Pension Plans Act
(chapter R-15.1)

Exemption of certain categories of pension plans from the application of provisions of the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it determines, exempt any category of pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan and prescribe special rules applicable to the category;

WHEREAS, in accordance with the third paragraph of that section, such a regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the second year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, on 8 August 1990, the Government enacted, by Order in Council 1160-90, the regulation now entitled the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (c. R-15.1, r. 7);

WHEREAS it is expedient to amend the Regulation to harmonize certain funding rules with the measures that were enacted by the Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) and that came into force on 1 January 2010;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act, a draft Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act was published, with a

written notice that it could be made by the Government on the expiry of 45 days following its publication in part 2 of the *Gazette officielle du Québec* on 18 July 2012;

WHEREAS it is expedient to make the amended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, para. 2 and 3)

1. Section 8 of the Regulation respecting the exemption of certain categories of pension plans from the application of provisions of the Supplemental Pension Plans Act (c. R-15.1, r. 7) is amended:

(1) by replacing the item “Review;” with:

“—Proceeding before the Administrative Tribunal – section 243;”;

(2) by striking out “except subparagraphs 3 to 3.2, 5, 8, 8.5, 12.0.1, and 12.1 of the first paragraph,” in the item “Regulations, functions and powers of the Régie”.

2. Section 45 of the Regulation is replaced by the following:

“**45.** In applying sections 36.1 and 37 of the Regulation respecting supplemental pension plans (c. R-15.1, r. 6), the aggregate benefits of a member of a connected pension plan are determined, where his period of continuous membership is in effect at the date of the actuarial valuation, by supposing that it ended on such date.”.

3. The following is inserted after the heading of sub-division 1 of Division X:

“**64.1** In this division, the Act as it read on 31 December 2009 applies and any reference to a provision of the Act is deemed to be a reference to a provision of the Act as it read on 31 December 2009.”

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2010.

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Gouvernement du Québec

O.C. 1053-2012, 14 November 2012

Supplemental Pension Plans Act
(chapter R-15.1)

Exemption of certain pension plans from the application of provisions of the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan and prescribe special rules applicable to the plan;

WHEREAS, in accordance with the third paragraph of that section, such a regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the second year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, on 28 April 2004, the Government enacted, by Order in Council 415-2004, the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (c. R-15.1, r. 8);

WHEREAS it is expedient to amend this Regulation by striking out the spent provisions, which otherwise should have been harmonized with the measures that were enacted by the Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) and that came into force on 1 January 2010;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act, a draft Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication in part 2 of the *Gazette Officielle du Québec* on 18 July 2012;

WHEREAS it is expedient to make the un-amended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, para. 2 and 3)

1. The Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans (c. R-15.1, r. 8) is amended by striking out Division III.1.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2011.

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Gouvernement du Québec

O.C. 1054-2012, 14 November 2012

Supplemental Pension Plans Act
(chapter R-15.1)

Arbitration relating to the surplus assets of supplemental pension plans
— **Amendment**

CONCERNING the Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans

WHEREAS, under the first paragraph of section 243.8 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government prescribes by regulation the information and documents that must accompany the application for arbitration forwarded to the arbitration body by a pension committee;

WHEREAS, on 15 December 1993, the Government made, by order in Council number 1894-93, the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans (c. R-15.1, r. 1);

WHEREAS it is expedient to amend the Regulation to harmonize one of its provisions with the measures that were enacted by the Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans (2006, c. 42) and that came into force on 1 January 2010;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q, c. R-18.1), a draft Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication in part 2 of the *Gazette Officielle du Québec* on 18 July 2012;

WHEREAS it is expedient to make the un-amended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 243.8, 1st para.)

1. Section 1.1 of the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans (c. R-15.1, r. 1) is amended by striking out, in paragraph 3 of the second paragraph, “and, if any, more recent reports made under section 130 of the Act”.

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

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Gouvernement du Québec

O.C. 1058-2012, 14 November 2012

Real Estate Brokerage Act
(chapter C-73.2)

Issue of broker’s and agency licences
— **Amendment**

Regulation to amend the Regulation respecting the issue of broker’s and agency licences

WHEREAS the section 5 of the Real Estate Brokerage Act (R.S.Q., c. C-73.2) provides that a broker’s licence is issued to applicants who meet the requirements set out in this Act;

WHEREAS paragraphs 1, 3 and 6 of section 46 of the Act provide that the Organisme d’autoréglementation du courtage immobilier du Québec (“the Organization”) may determine, by regulation, rules governing the training required to become a broker and the examination to be taken by prospective brokers, the terms and conditions governing the issue, suspension or revocation of a licence, and the cases in which restrictions or conditions may be imposed on a licence and the information and documents to be provided by a prospective broker, a broker or an agency;

WHEREAS section 49 of the Act provides that the Organization may, for the purposes of any regulation, establish special or supplementary rules for real estate brokers, mortgage brokers, real estate agencies or mortgage broker agencies;

WHEREAS, on 2 March 2012, the Organization made the Regulation to amend the Regulation respecting the issue of broker's and agency licences;

WHEREAS section 130 of the Real Estate Brokerage Act provides that all regulations of the Organization, except internal by-laws, must be submitted to the Government for approval with or without amendments;

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 the issue of broker's and agency licences was published in Part 2 of the *Gazette officielle du Québec* of 23 May 2012 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 without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Economy:

THAT the Regulation to amend the Regulation respecting the issue of broker's and agency licences, attached to this Order in Council, be approved without amendment.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the issue of broker's and agency licences

Real Estate Brokerage Act
(chapter C-73.2, ss. 5, 46, pars. 1, 3 and 6, and s. 49)

1. The Regulation respecting the issue of broker's and agency licences (R.R.Q., c. C-73.2, r. 3) is amended in section 1

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

“(1.1) as of 1 September 2013, has passed one of the training programs recognized in an agreement between the Organization and an educational institution and that deals with the skills a broker must have, provided for in the system of reference available on the Organization's official website, according to the licence applied for or licence restrictions;”;

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

“A person who is qualified and authorized to engage in brokerage transactions within the meaning of section 1 of the Real Estate Brokerage Act, in a province, State or territory for which an agreement of mutual recognition of professional qualifications was entered into between the Gouvernement du Québec and another government is exempted from the requirements of subparagraph 1.1 of the first paragraph.”;

(3) by inserting “1.1,” in the second and third paragraphs after “subparagraphs”.

2. Section 5 is amended by inserting the following after paragraph 4:

“(4.1) an attestation, a diploma or a transcript showing that the prospective broker meets the requirement of paragraph 1.1 of section 1;”.

3. Section 37 is amended by inserting “, 4.1” after “4”.

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

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Gouvernement du Québec

O.C. 1061-2012, 14 November 2012

Code of Civil Procedure
(chapter C-25)

Determination of child support payments — Amendment

Regulation to amend the Regulation respecting the determination of child support payments

WHEREAS, under article 825.8 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government, by regulation, is to establish standards for the determination of the child support payments to be made by a parent, on the basis of the basic parental contribution determined in respect of the child, of the child care expenses, post-secondary education expenses and special expenses relating to the child and of the parents' custodial arrangement in respect of the child;

WHEREAS, under that article, the Government is to prescribe the use of a form and of a related table determining, on the basis of the parents' disposable income and the number of children, the basic parental contribution, as well as the production of evidentiary documents;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication of the Regulation to amend the Regulation respecting the determination of child support payments attached to this Order in Council:

—the need to adjust the amounts in the Basic Parental Contribution Determination Table, which will apply as of 1 January 2013, in order to take into account the new federal and provincial fiscal parameters for 2012;

—not adjusting the Table for 1 January 2013 would have an impact on the public and could have an impact on the courts and the Service de perception des pensions alimentaires at Revenu Québec;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting the determination of child support payments, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the determination of child support payments

Code of Civil Procedure
(chapter C-25, a. 825.8)

- 1.** Schedule II to the Regulation respecting the determination of child support payments (c. C-25, r. 6) is replaced by Schedule II attached to this Regulation.
- 2.** This Regulation comes into force on 1 January 2013.

SCHEDULE II
(s.3)
BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE
(Effective as of 1 January 2013)

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
1 - 1 000	500	500	500	500	500	500
1 001 - 2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001 - 3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001 - 4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001 - 5 000	2 500	2 500	2 500	2 500	2 500	2 500
5 001 - 6 000	2 690	3 000	3 000	3 000	3 000	3 000
6 001 - 7 000	2 740	3 500	3 500	3 500	3 500	3 500
7 001 - 8 000	2 810	4 000	4 000	4 000	4 000	4 000
8 001 - 9 000	2 880	4 490	4 500	4 500	4 500	4 500
9 001 - 10 000	2 940	4 600	5 000	5 000	5 000	5 000
10 001 - 12 000	3 100	4 810	5 700	6 000	6 000	6 000
12 001 - 14 000	3 250	5 060	5 990	6 970	7 000	7 000
14 001 - 16 000	3 440	5 300	6 340	7 370	8 000	8 000
16 001 - 18 000	3 630	5 590	6 720	7 860	9 000	9 000
18 001 - 20 000	3 840	5 900	7 140	8 390	9 620	10 000
20 001 - 22 000	4 120	6 320	7 670	9 020	10 370	11 000
22 001 - 24 000	4 370	6 710	8 170	9 610	11 080	12 000
24 001 - 26 000	4 600	7 080	8 640	10 190	11 760	13 000
26 001 - 28 000	4 820	7 370	9 090	10 760	12 470	14 000
28 001 - 30 000	5 040	7 670	9 450	11 270	13 080	14 890
30 001 - 32 000	5 220	7 920	9 840	11 780	13 690	15 610
32 001 - 34 000	5 400	8 160	10 220	12 230	14 270	16 310
34 001 - 36 000	5 590	8 390	10 530	12 670	14 800	16 940
36 001 - 38 000	5 720	8 640	10 790	12 960	15 140	17 300
38 001 - 40 000	5 920	8 850	11 070	13 290	15 520	17 730
40 001 - 42 000	6 110	9 090	11 400	13 670	15 950	18 230
42 001 - 44 000	6 320	9 380	11 710	14 030	16 360	18 670
44 001 - 46 000	6 510	9 620	12 020	14 420	16 810	19 210
46 001 - 48 000	6 700	9 930	12 380	14 860	17 330	19 800
48 001 - 50 000	6 910	10 160	12 730	15 290	17 840	20 400
50 001 - 52 000	7 110	10 430	13 080	15 740	18 370	21 040
52 001 - 54 000	7 310	10 710	13 430	16 150	18 870	21 600
54 001 - 56 000	7 490	10 970	13 780	16 620	19 430	22 240
56 001 - 58 000	7 690	11 240	14 130	17 010	19 920	22 810
58 001 - 60 000	7 890	11 480	14 460	17 440	20 430	23 400
60 001 - 62 000	8 080	11 750	14 790	17 850	20 910	23 950
62 001 - 64 000	8 250	11 990	15 150	18 290	21 440	24 580
64 001 - 66 000	8 440	12 250	15 490	18 710	21 930	25 140
66 001 - 68 000	8 640	12 470	15 780	19 100	22 410	25 730
68 001 - 70 000	8 780	12 700	16 100	19 520	22 930	26 340

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
140 001 - 142 000	12 140	17 020	22 230	27 200	32 400	37 360
142 001 - 144 000	12 210	17 130	22 380	27 370	32 620	37 620
144 001 - 146 000	12 290	17 220	22 510	27 520	32 850	37 870
146 001 - 148 000	12 370	17 310	22 670	27 740	33 050	38 120
148 001 - 150 000	12 440	17 420	22 800	27 890	33 280	38 370
150 001 - 152 000	12 520	17 510	22 940	28 050	33 490	38 610
152 001 - 154 000	12 590	17 600	23 070	28 240	33 710	38 850
154 001 - 156 000	12 680	17 710	23 240	28 410	33 940	39 120
156 001 - 158 000	12 740	17 810	23 360	28 580	34 140	39 370
158 001 - 160 000	12 820	17 900	23 490	28 750	34 370	39 630
160 001 - 162 000	12 890	17 980	23 640	28 940	34 580	39 870
162 001 - 164 000	12 980	18 080	23 790	29 110	34 790	40 100
164 001 - 166 000	13 040	18 200	23 930	29 270	35 010	40 370
166 001 - 168 000	13 110	18 290	24 070	29 450	35 250	40 620
168 001 - 170 000	13 190	18 380	24 190	29 630	35 450	40 860
170 001 - 172 000	13 280	18 480	24 350	29 800	35 680	41 130
172 001 - 174 000	13 350	18 580	24 490	29 980	35 880	41 360
174 001 - 176 000	13 430	18 670	24 630	30 150	36 120	41 630
176 001 - 178 000	13 500	18 780	24 760	30 330	36 330	41 880
178 001 - 180 000	13 580	18 880	24 940	30 500	36 550	42 130
180 001 - 182 000	13 670	18 970	25 060	30 670	36 770	42 390
182 001 - 184 000	13 730	19 080	25 200	30 840	36 990	42 620
184 001 - 186 000	13 800	19 160	25 350	31 020	37 190	42 880
186 001 - 188 000	13 890	19 250	25 490	31 200	37 430	43 140
188 001 - 190 000	13 960	19 350	25 630	31 360	37 640	43 390
190 001 - 192 000	14 040	19 450	25 770	31 560	37 860	43 640
192 001 - 194 000	14 120	19 560	25 900	31 730	38 080	43 900
194 001 - 196 000	14 190	19 650	26 070	31 900	38 310	44 150
196 001 - 198 000	14 260	19 760	26 210	32 070	38 500	44 400
198 001 - 200 000	14 340	19 850	26 340	32 250	38 750	44 650
Disposable income greater than \$200,000 ⁽²⁾	14 340 plus 3.5% of excess amount	19 850 plus 4.5% of excess amount	26 340 plus 6.5% of excess amount	32 250 plus 8.0% of excess amount	38 750 plus 10.0% of excess amount	44 650 plus 11.5% of excess amount

(1) For situations involving 7 children or more, the basic parental contribution shall be established by multiplying the difference between the amounts prescribed for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children (s.11).

(2) For the part of income exceeding \$200,000, the percentage indicated is shown for information purposes only. The court may, if it deems it appropriate, fix for that part of the disposable income an amount different from the amount that would be obtained using that percentage (s.10).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2013 : \$10,100

Gouvernement du Québec

O.C. 1062-2012, 14 November 2012

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28)

Psychoeducators

— Training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators

Regulation respecting the training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators

Whereas, under the second paragraph of section 18 of the Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations (2009, chapter 28), the board of directors of an order referred to in the first paragraph of section 18 of the Act, as amended by section 11 of chapter 10 of the Statutes of 2012, may determine by regulation the terms and conditions on which the persons referred to in that paragraph may exercise an activity reserved for its members and determine which of the regulatory standards applicable to the members apply to those persons;

WHEREAS, under the third paragraph of section 18 of the Act, section 95 of the Professional Code (chapter C-26) applies to a regulation made under the second paragraph of section 18;

WHEREAS the board of directors of the Ordre des psychoéducateurs et psychoéducatrices du Québec made the Regulation respecting the training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators was published in Part 2 of the *Gazette officielle du Québec* of 4 July 2012

with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the training conditions of persons other than psychoeducators to engage in professional activities that may be engaged in by psychoeducators

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28, s. 18, 2nd par.)

DIVISION I PURPOSE

1. This Regulation is intended for the person who, on 20 September 2012, does not meet the conditions for the issue of the permit by the Ordre des psychoéducateurs et psychoéducatrices du Québec and who was engaged in a professional activity referred to in paragraph 1.3.2 of section 37.1 of the Professional Code (chapter C-26).

DIVISION II MANDATORY TRAINING

2. The person referred to in section 1 must complete at least 6 hours of training for each professional activity engaged in per 2-year reference period.

3. A person chooses, among the eligible training activities determined in section 4, those that are related to the professional activity engaged in.

DIVISION III TRAINING ACTIVITIES

4. The following are eligible training activities:

(1) participation in courses, seminars, workshops, symposiums, conferences or congresses offered by persons, university educational institutions, organizations or specialized institutions;

(2) supervision received from a psychoeducator who engages in the same professional activity engaged as the person required to complete the training, in the case of the activities referred to in subparagraphs *a*, *e* and *f* of paragraph 1.3.2 of section 37.1 of the Professional Code; and

(3) supervision received from a member of a professional order who engages in the same professional activity as the person required to complete the training, in the case of the activities referred to in subparagraphs *b*, *c*, *d*, *g* and *h* of paragraph 1.3.2 of section 37.1 of the Code.

The training activities must relate to at least one of the following subjects:

- (1) evaluation procedures and methods;
- (2) intervention procedures and methods;
- (3) users for whom the training activity is intended;
- (4) legal and organizational aspects of the practice; or
- (5) problems related to human development and adjustment problems.

DIVISION IV EXEMPTION FROM TRAINING

5. A person who shows that it is impossible for him or her to comply with the required training may, for a given reference period, be exempted from having to attend training.

To obtain an exemption, the person applies to the Order by completing the form provided for that purpose and provides the following information:

- (1) the reasons for the exemption; and
- (2) a doctor's note or any other proof attesting to the fact that the person is unable to attend.

Before refusing an application for exemption, the Order must so notify the applicant and inform the applicant of his or her right to submit written observations within 15 days. The Order sends its decision to the applicant within 60 days of receipt of the application.

6. As soon as the exemption is no longer required, the person must so notify the Order in writing and comply with the training requirement under the terms and conditions set by the Order.

Before setting the terms and conditions, the Order must so notify the person and inform the person of his or her right to submit written observations within 15 days. The Order determines the terms and conditions of training within 60 days of receipt of the notice informing it that the exemption is no longer required.

DIVISION V MONITORING

7. The person referred to in section 1 must, not later than 31 May after the end of each reference period, send to the Order a declaration of training in which the following information is recorded:

- (1) the training activities attended during that reference period; and
- (2) the number of hours completed during that reference period.

The Order may request any document in support of the information recorded in the declaration of the person who must then send it within 10 days after the date of receipt of the request.

8. If the Order refuses to recognize declared training activities, the secretary of the Order notifies the person in writing of that decision and informs the person of his or her right to apply for a review of the decision within 15 days of receipt of the notice. The person must send the application for review in writing to the secretary of the Order, along with his or her written observations.

9. The Order sends a notice to the person who failed to comply with the requirements of sections 2 and 7, indicating the obligations not complied with and informing the person that the person has 90 days from the receipt of that notice to remedy the default.

Training hours completed after non-compliance may only be computed for the year of the reference period during which the person was in default.

10. The person must keep, at least 2 years after the end of a reference period, the documents in support of the information recorded in the person's declaration of training.

DIVISION VI DEFAULT

11. The Order sends a final notice to the person who failed to remedy the default indicated in the notice sent pursuant to section 9, informing the person that the person has an additional 15-day period from the receipt of the final notice to remedy the default and failing that, the person must cease to engage in the professional activity concerned until the person provides the Order with proof that the person has complied with the requirements contained in the notice sent pursuant to section 9.

12. Where the person failed to remedy the default indicated in the notice sent pursuant to section 9 within 3 years after receipt of the final notice referred to in section 11, the Order notifies the person that he or she can resume engaging in the professional activity concerned provided that the person successfully completes a university-level course of 3 credits on assessment and completes the total number of hours of training required in accordance with section 2 since the default.

DIVISION VII TRANSITIONAL AND FINAL

13. For the purposes of this Regulation, the first reference period begins on 1 April 2013.

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

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Gouvernement du Québec

O.C. 1063-2012, 14 November 2012

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28)

Social workers

— Training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers

Regulation respecting the training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers

WHEREAS, under the second paragraph of section 18 of the Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations (2009, chapter 28), the board of directors of an order referred to in the first paragraph of section 18 of the Act, as amended by section 11 of chapter 10 of the Statutes of 2012, may determine by regulation the terms and conditions on which the persons referred to in that paragraph may exercise an activity reserved for its members and determine which of the regulatory standards applicable to the members apply to those persons;

WHEREAS, under the third paragraph of section 18 of the Act, section 95 of the Professional Code (chapter C-26) applies to a regulation made under the second paragraph of section 18;

WHEREAS the board of directors of the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec made the Regulation respecting the training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers was published in Part 2 of the *Gazette officielle du Québec* of 4 July 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the training conditions of persons other than social workers to engage in professional activities that may be engaged in by social workers

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28, s. 18, 2nd par.)

DIVISION I PURPOSE

1. This Regulation is intended for the person who, on 20 September 2012, does not meet the conditions for the issue of the social worker's permit by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec and who, on 20 September 2012, was engaged in a professional activity referred to in paragraph 1.1.1 of section 37.1 of the Professional Code (chapter C-26).

DIVISION II MANDATORY TRAINING

2. The person referred to in section 1 must complete at least 6 hours of training for each professional activity engaged in per 2-year reference period.

3. A person chooses, among the eligible training activities determined in section 4, those provided for in the program of training activities established by the Order pursuant to section 5 or recognized by the Order pursuant to section 6 and that are related to the professional activity engaged in.

DIVISION III TRAINING ACTIVITIES

4. The following are eligible training activities:

(1) participation in courses, seminars, symposiums, conferences or congresses offered by persons, university educational institutions, organizations or specialized institutions;

(2) supervision received from a social worker who engages in the same professional activity engaged as the person required to complete the training, in the case of the activities referred to in subparagraphs *a*, *c*, *e*, *f* and *h* of paragraph 1.1.1 of section 37.1 of the Professional Code; and

(3) supervision received from a member of a professional order who engages in the same professional activity as the person required to complete the training, in the case of the activities referred to in subparagraphs *b*, *d*, *g*, *i* and *j* of paragraph 1.1.1 of section 37.1 of the Code.

The training activities must relate to at least one of the following subjects:

- (1) evaluation procedures and methods;
- (2) intervention procedures and methods;
- (3) users for whom the training activity is intended;
- (4) legal and organizational aspects of the practice; or
- (5) problems related to human development.

5. The Order establishes a program of training activities referred to in subparagraph 1 of the first paragraph of section 4. To that end, the Order determines the training activities constituting the program, that is, courses,

seminars, symposiums, conferences or congresses and the persons, university educational institutions, organizations or specialized institutions authorized to offer them.

The Order determines the activities constituting the program, taking into consideration the following criteria:

- (1) the relation between the training activity and the professional activities engaged in;
- (2) the existence of training objectives and their nature;
- (3) the competence and qualifications of the instructor in relation to the subject matter;
- (4) the curricular framework;
- (5) the quality of instructional material provided; and
- (6) the recognition of attendance to or successful completion of the training activity.

6. A training activity referred to in subparagraph 1 of the first paragraph of section 4 that is not listed in the program of training activities established by the Order may be recognized on request by the person referred to in section 1. The request must be sent to the Order at least 60 days before the date set for the holding of the activity or within 120 days following the date on which it is held, along with the supporting documents allowing to identify the activity concerned, its duration, content, the person in charge or the instructor of the activity and, if applicable, the result obtained and any other information allowing to establish that the activity complies with the criteria in the second paragraph of section 5.

The request for recognition following the date on which the training activity is held is valid only for the person having attended the training activity.

The Order rules on the request within 30 days of its receipt.

In case of refusal, the secretary of the Order notifies the person in writing of that decision. The secretary also informs the person of his or her right to apply for a review of the decision within 15 days of receipt of the notice. The person must send the application for review in writing to the secretary of the Order, along with his or her written observations.

In the case of a training activity referred to in subparagraphs 2 and 3 of the first paragraph of section 4, the person must keep a document signed by the supervisor and

the person containing the objectives of the supervision, the nature of the supervision and the number of hours devoted directly to the supervised person.

DIVISION IV **EXEMPTION FROM TRAINING**

7. A person who shows that it is impossible for him or her to comply with the required training may, for a given reference period, be exempted from having to attend training.

To obtain an exemption, the person applies to the Order by completing the form provided for that purpose and provides the following information:

- (1) the reasons for the exemption; and
- (2) a doctor's note or any other proof attesting to the fact that the person is unable to attend.

Before refusing an application for exemption, the Order must so notify the applicant and inform the applicant of his or her right to submit written observations within 15 days. The Order sends its decision to the applicant within 60 days of receipt of the application.

8. As soon as the exemption is no longer required, the person must so notify the Order in writing and comply with the training requirement prescribed by this Regulation, under the terms and conditions set by the Order.

Before setting the terms and conditions, the Order must so notify the person in writing and inform the person of his or her right to submit written observations within 15 days. The Order determines the terms and conditions of training within 60 days of receipt of the notice informing it that the exemption is no longer required.

DIVISION V **MONITORING**

9. The person referred to in section 1 must, not later than 31 May after the end of each reference period, send to the Order a declaration of training in which the following information is recorded:

- (1) the training activities attended during that reference period; and
- (2) the number of hours completed during that reference period.

The Order may request any document in support of the information recorded in the declaration of the person who must then send it within 10 days after the date of receipt of the request.

10. The Order sends a notice to the person who failed to comply with the requirements of sections 2 and 9, indicating the obligations not complied with and informing the person that the person has 90 days from the receipt of that notice to remedy the default.

Training hours completed after non-compliance may only be computed for the year of the reference period during which the person was in default.

11. The person must keep, at least 2 years after the end of a reference period, the documents in support of the information recorded in the person's declaration of training.

DIVISION VI DEFAULT

12. The Order sends a final notice to the person who failed to remedy the default indicated in the notice sent pursuant to section 10, informing the person that the person has an additional 15-day period from the receipt of the final notice to remedy the default and failing that, the person must cease to engage in the professional activity concerned until the person provides the Order with proof that the person has complied with the requirements contained in the notice sent pursuant to section 10.

13. Where the person failed to remedy the default indicated in the notice sent pursuant to section 10, within 3 years after receipt of the final notice referred to in section 12, the Order notifies the person that he or she can resume engaging in the professional activity concerned provided that the person successfully completes a university-level course of 3 credits on social functioning assessment or intervention methods in social work and completes the total number of hours of training required in accordance with section 2 since the default.

DIVISION VII TRANSITIONAL AND FINAL

14. For the purposes of this Regulation, the first reference period begins on 1 April 2013.

15. 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. 1064-2012, 14 November 2012

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28)

Guidance counsellors — Training conditions of persons other than guidance counsellors to engage in professional activities that may be engaged in by guidance counsellors

Regulation respecting the training conditions of persons other than guidance counsellors to engage in professional activities that may be engaged in by guidance counsellors

WHEREAS, under the second paragraph of section 18 of the Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations (2009, chapter 28), the board of directors of an order referred to in the first paragraph of section 18 of the Act, as amended by section 11 of chapter 10 of the Statutes of 2012, may determine by regulation the terms and conditions on which the persons referred to in that paragraph may exercise an activity reserved for its members and determine which of the regulatory standards applicable to the members apply to those persons;

WHEREAS, under the third paragraph of section 18 of the Act, section 95 of the Professional Code (chapter C-26) applies to a regulation made under the second paragraph of section 18;

WHEREAS the board of directors of the Ordre des conseillers et conseillères d'orientation du Québec made the Regulation respecting the training conditions of persons other than guidance counsellors to engage in professional activities that may be engaged in by guidance counsellors;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the training conditions of persons other than guidance counsellors to engage in professional activities

that may be engaged in by guidance counsellors was published in Part 2 of the *Gazette officielle du Québec* of 4 July 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the training conditions of persons other than guidance counsellors to engage in professional activities that may be engaged in by guidance counsellors, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the training conditions of persons other than guidance counsellors to engage in professional activities that may be engaged in by guidance counsellors

An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations
(2009, chapter 28, s. 18, 2nd par.)

DIVISION I PURPOSE

1. This Regulation is intended for the person who, on 20 September 2012, does not meet the conditions for the issue of the permit by the Ordre des conseillers et conseillères d'orientation du Québec and who was engaged in a professional activity referred to in paragraph 1.3.1 of section 37.1 of the Professional Code (chapter C-26).

DIVISION II MANDATORY TRAINING

2. The person referred to in section 1 must complete at least 6 hours of training for each professional activity engaged in per 2-year reference period.

3. A person chooses, among the eligible training activities determined in section 4, those that are related to the professional activity engaged in.

DIVISION III TRAINING ACTIVITIES

4. The following are eligible training activities:

(1) participation in courses, seminars, symposiums, conferences or congresses offered by persons, university educational institutions, organizations or specialized institutions;

(2) supervision received from a guidance counselor who engages in the same professional activity as the person required to complete the training, in the case of the activities referred to in subparagraphs *a* and *d* of paragraph 1.3.1 of section 37.1 of the Code; and

(3) supervision received from a member of a professional order who engages in the same professional activity as the person required to complete the training, in the case of the activities referred to in subparagraphs *b* and *c* of paragraph 1.3.1 of section 37.1 of the Code.

The training activities must relate to at least one of the following subjects:

- (1) evaluation procedures and methods;
- (2) intervention procedures and methods;
- (3) users for whom the training activity is intended;
- (4) legal and organizational aspects of the practice; or
- (5) problems related to human development.

DIVISION IV EXEMPTION FROM TRAINING

5. A person who shows that it is impossible for him or her to comply with the required training may, for a given reference period, be exempted from having to attend training.

To obtain an exemption, that person applies to the Order by completing the form provided for that purpose and provides the following information:

- (1) the reasons for the exemption; and
- (2) a doctor's note or any other proof attesting to the fact that the person is unable to attend.

Before refusing an application for exemption, the Order must so notify the applicant and inform the applicant of his or her right to submit written observations within 15 days. The Order sends its decision to the applicant within 60 days of receipt of the application.

6. As soon as the exemption is no longer required, the person must so notify the Order in writing and comply with the training requirement under the terms and conditions set by the Order.

Before setting the terms and conditions, the Order must so notify the person and inform the person of his or her right to submit written observations within 15 days. The Order determines the terms and conditions of training within 60 days of receipt of the notice informing it that the exemption is no longer required.

DIVISION V MONITORING

7. The person referred to in section 1 must, not later than 31 May after the end of each reference period, send to the Order a declaration of training in which the following information is recorded:

(1) the training activities attended during that reference period; and

(2) the number of hours completed during that reference period.

The Order may request any document in support of the information recorded in the declaration of the person who must then send it within 10 days after the date of receipt of the request.

8. If the Order refuses to recognize declared training activities, the secretary of the Order notifies the person in writing of that decision and informs the person of his or her right to apply for a review of the decision within 15 days of receipt of the notice. The person must send the application for review in writing to the secretary of the Order, along with his or her written observations.

9. The Order sends a notice to the person who failed to comply with the requirements of sections 2 and 7, indicating the obligations not complied with and informing the person that the person has 90 days from the receipt of that notice to remedy the default.

Training hours completed after non-compliance may only be computed for the year of the reference period during which the person was in default.

10. The person must keep, at least 2 years after the end of a reference period, the documents in support of the information recorded in the person's declaration of training.

DIVISION VI DEFAULT

11. The Order sends a final notice to the person who failed to remedy the default indicated in the notice sent pursuant to section 9, informing the person that the person has an additional 15-day period from the receipt of the final notice to remedy the default and failing that, the person must cease to engage in the professional activity concerned until the person provides the Order with proof that the person has complied with the requirements contained in the notice sent pursuant to section 9.

12. Where the person failed to remedy the default indicated in the notice sent pursuant to section 9 within 3 years after receipt of the final notice referred to in section 11, the Order notifies the person that he or she can resume to engage in the professional activity concerned provided that the person successfully completes a university-level course of 3 credits on assessment and completes the total number of hours of training required in accordance with section 2 since the default.

DIVISION VII TRANSITIONAL AND FINAL

13. For the purposes of this Regulation, the first reference period begins on 1 April 2013.

14. 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. 1074-2012, 14 November 2012

Forest Act
(chapter F-4.1)

Forest royalties — Amendment

Regulation to amend the Regulation respecting forest royalties

WHEREAS, under subparagraph 1 of the first paragraph of section 172 of the Forest Act (c. F-4.1), the Government may, by regulation, determine, for each species, group of species and quality of timber or, where applicable, for each area of land, the unit rate or the rules of calculation of the unit rate at which the Minister is to determine, for any class of forest management permit, the dues payable by the permit holder;

WHEREAS the Government made the Regulation respecting forest royalties (c. F-4.1, r. 12);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (c. R-18.1), a draft of the Regulation to amend the Regulation respecting forest royalties was published in Part 2 of the *Gazette officielle du Québec* of 14 December 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:

THAT the Regulation to amend the Regulation respecting forest royalties, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting forest royalties

Forest Act
(chapter F-4.1, s. 172, 1st par., subpar. 1)

1. The Regulation respecting forest royalties (c. F-4.1, r. 12) is amended by replacing “in the first and second paragraphs of section 4” in the third paragraph of section 1 by “in the first, second, third and fourth paragraphs of section 4”.

2. Section 4 is amended by inserting the following after the second paragraph:

“The rate fixed for each zone is adjusted on 1 January of each year according to the following equation based on the data contained in the economic record of the Fédération des producteurs acéricoles du Québec (FPAQ):

$$\text{Adjustment rate} = A/3.93^a$$

Where $A = \Sigma^b \text{Yield}^c \times \text{Agreement price}^d \times (1 - (\text{Var. net inventory}^e / \text{Harvest vol. of the year}^f)) / 5 \text{ years}$

^a Reference calculation of 1999 to 2003 (net average income per taphole).

^b Summation of the last 5 years preceding the year that precedes the year of the adjustment.

^c Average yield (lbs of syrup/taphole) of the year concerned from the economic record of the FPAQ.

^d Weighted average price (\$/lb of syrup) of the year concerned and determined by the Maple Syrup Marketing Agreement entered into between the FPAQ and the buyers of a product covered by the Plan conjoint des producteurs acéricoles du Québec.

^e Variation of the net inventory from the economic record of the FPAQ (pounds of syrup).

^f Harvest volume of the year concerned from the economic record of the FPAQ (pounds of syrup).

The Minister of Natural Resources is to publish the results of the adjustment on the website of the Ministère des Ressources naturelles and in Part 1 of the *Gazette officielle du Québec*. The Minister may also ensure wider publicity by any other means the Minister considers appropriate.”.

3. This Regulation comes into force on 1 January 2013.

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Gouvernement du Québec

O.C. 1076-2012, 14 November 2012

Police Act
(chapter P-13.1)

Sûreté du Québec — Internal discipline of members

By-law respecting the internal discipline of members of the Sûreté du Québec

WHEREAS, under the first paragraph of section 257 of the Police Act (chapter P-13.1), the Government makes a regulation concerning the internal discipline of members of the Sûreté du Québec, on the recommendation of the Director General;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the By-law respecting the internal discipline of members of the Sûreté du Québec was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2012 with a notice that it could be made by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS the Director General of the Sûreté du Québec recommends that the Government make the By-law;

WHEREAS it is expedient to make the By-law with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the By-law respecting the internal discipline of members of the Sûreté du Québec, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

By-law respecting the internal discipline of members of the Sûreté du Québec

Police Act
(chapter P-13.1, s. 257, 1st par.)

CHAPTER I SCOPE AND PURPOSE

1. This By-law applies to police officers who are members of the Sûreté du Québec. It determines the duties and standards of conduct to ensure the effectiveness and quality of the services provided and respect for the authorities

over them. It is also intended to promote the maintenance of the discipline and ethics required to ensure organizational integrity.

In addition, this By-law determines the types of behaviour that constitute breaches of discipline, establishes a disciplinary procedure, determines the powers of the authorities with regard to discipline and establishes penalties.

CHAPTER II DUTIES AND STANDARDS OF CONDUCT OF MEMBERS OF THE SÛRETÉ DU QUÉBEC

2. Members of the Sûreté du Québec must behave in a dignified manner. To that end, they must refrain from any behaviour lacking in respect towards any person, adversely affecting the effectiveness or honour of the Sûreté or discrediting it.

The following in particular constitute breaches of discipline:

- (1) the use of obscene or insulting language;
- (2) misuse of authority, intimidation or harassment;
- (3) recourse to greater force than necessary to accomplish what they are ordered or permitted to do;
- (4) lack of respect and courtesy towards a person or a member;
- (5) causing a person to get into a vehicle of the Sûreté unless so permitted;
- (6) consorting or fraternizing without a satisfactory reason with persons they know to have a criminal reputation;
- (7) consuming alcoholic beverages in public without authorization while on duty, or in uniform whether on duty or not;
- (8) while on duty, being under the influence of alcoholic beverages, narcotics, hallucinogenic drugs, narcotic or anaesthetic preparations or any other substance capable of causing intoxication, weakening or disturbance of the faculties or unconsciousness;
- (9) keeping alcoholic beverages without authorization in a vehicle or on premises of the Sûreté;
- (10) drinking alcoholic beverages immoderately in a public place;

(11) being dressed during working hours in a manner not complying with the instructions in force;

(12) buying, selling or possessing narcotics or any similar product whose sale is prohibited or regulated, or being involved as intermediary in a transaction involving one of those substances, except where authorized by their superior within the scope of their duties.

3. Members must respect the rights of any person in their custody and refrain from any indulgence towards that person.

The following in particular constitute breaches of discipline:

(1) being negligent in the custody or supervision of a person in their custody;

(2) furnishing a person in their custody with alcoholic beverages, narcotics, hallucinogenic drugs, narcotic or anaesthetic preparations or any other substance capable of causing intoxication, weakening or disturbance of the faculties or unconsciousness;

(3) doing business of any kind with a person in their custody or attempting to obtain any benefit from that person or to give that person any benefit;

(4) except in an emergency, searching a person of the opposite sex;

(5) failing to search any person confined in their custody or, in the case of a confined person of the opposite sex, failing to have a search made by a person of the same sex;

(6) failing to keep in a safe place anything taken from a person in their custody;

(7) failing to make entries in the prison register and the register of confiscated objects;

(8) interfering in communications between a person in their custody and that person's attorney;

(9) using greater force than necessary in dealing with a person in their custody;

(10) failing to watch over the safety and health of a person in their custody;

(11) permitting the incarceration of a young offender with an adult or of a female person with a male person, except in cases provided for by law.

4. Members must use a service weapon carefully and with discretion.

The following in particular constitute breaches of discipline:

(1) not maintaining or keeping in good operating condition a service weapon, or the ammunition entrusted to them;

(2) showing, handling or pointing a service weapon without justification;

(3) failing to report to their superior each time they use a service weapon in the performance of their duties;

(4) failing to take reasonable means to prevent the loss or theft of a service weapon or its use by a third person;

(5) lending or transferring a service weapon;

(6) lacking care in the use and handling of a service weapon, particularly with unnecessary danger to the life or the safety of another person;

(7) carrying or using, without authorization in the performance of their duties, a firearm other than that issued to them by the Sûreté.

5. Members must respect the authority of the law and the courts and must collaborate in the administration of justice.

The following in particular constitute breaches of discipline:

(1) contravening any law enacted by a legally constituted authority in a manner likely to compromise the performance of their duties;

(2) preventing or contributing to preventing justice from taking its course;

(3) concealing evidence or information in order to benefit or harm any person, in particular an accused, a complainant or a witness;

(4) omitting or unduly delaying sending to their superior any information concerning crimes and offences of which they are a witness or of which they have knowledge.

6. Members must obey the requests, instructions and oral or written orders of their superiors.

The following in particular constitute breaches of discipline:

(1) refusing or failing to give an account to the Director General of the Sûreté or his or her representative of their activities in the performance of their duties;

(2) refusing or failing to furnish a report in accordance with a superior's order concerning the activities they performed during their work;

(3) not performing the work assigned or not being in the place assigned by their superior.

7. Members must perform their duties conscientiously and diligently.

The following in particular constitute breaches of discipline:

(1) refusing or inciting to refuse to perform duties;

(2) being negligent or careless in performing duties.

8. Members must be regular at work.

The following in particular constitute breaches of discipline:

(1) not observing the working hours;

(2) being absent from work without permission;

(3) making a false statement or using any trick to extend a leave, to delay the return to work or to be absent from work;

(4) exchanging with another member work or a shift to which they were assigned without the permission of their superior.

9. Members must perform their duties with probity.

The following in particular constitute breaches of discipline:

(1) maliciously damaging or destroying, losing through negligence or illegally transferring public or private property;

(2) failing to report any destruction, loss or damage of property for the use of the Sûreté;

(3) using or authorizing the use of property for the use of the Sûreté for personal or unauthorized uses;

(4) lending, selling or transferring an item of the uniform or equipment provided by the Sûreté;

(5) falsifying, removing or destroying documents of the Sûreté or documents in the custody of the Sûreté or other official documents;

(6) filing or signing a report or other writing, knowing it to be false or inaccurate;

(7) claiming or authorizing, without making the necessary checks, reimbursement of expenses not incurred, payment for hours of work not done or payment of unwarranted premiums;

(8) failing or neglecting to account for or to remit within a reasonable time any sum of money or property received in their capacity of member of the Sûreté.

10. Members must perform their duties with impartiality and integrity and avoid any situation where they would be in a conflict of interest of a nature to compromise their impartiality in the performance of their duties or of a nature to influence adversely their judgment and loyalty.

The following in particular constitute breaches of discipline:

(1) directly or indirectly, exerting undue influence or obtaining or attempting to obtain a sum of money or any other benefit in return for a favour;

(2) accepting, soliciting or demanding, directly or indirectly, a sum of money, a favour or any other benefit or consideration of a nature to compromise their impartiality in the performance of their duties;

(3) paying, offering to pay or agreeing to offer a sum of money, a favour or any other benefit or consideration to a person, whether or not a member of the Sûreté, of a nature to compromise their impartiality in the performance of their duties or for the person to intercede in their favour to obtain a promotion, a transfer or any change in their status as member of the Sûreté;

(4) using for personal purposes, or for the purpose of obtaining a benefit or a profit, information obtained while performing their duties or as a result of their position in the Sûreté;

(5) recommending to a person who has been accused or with whom the member has been in contact in performing their duties the services of a particular attorney;

(6) standing surety in a case under the jurisdiction of a court of criminal or penal jurisdiction, except where warranted by family relations with the accused;

(7) signing a letter of recommendation or other certificate knowing it to be false or inaccurate;

(8) holding employment or carrying out an activity incompatible with the function of police officer.

Despite the foregoing, members may solicit or collect money from the public by the sale of advertisements or tickets or by any other means for the benefit of a person or a community organization, to the extent that they do not thereby place themselves in a situation of conflict of interest.

11. As soon as members are in a situation of incompatibility referred to in section 117 of the Police Act (chapter P-13.1) or believe to be in a situation that places them or is likely to place them in a conflict of interest, compromise their impartiality or influence adversely their judgment and loyalty, they must so inform their immediate superior who will inform them of the measures to be taken.

12. Members must obey their oath of office and oath of discretion.

Revealing information respecting an inquiry or the activities of the Sûreté to persons not authorized by the Director General or the Director General's representative, in particular, by transmitting documents, constitutes a breach of discipline.

13. Members must be politically neutral in the performance of their duties.

The following in particular constitute breaches of discipline:

(1) being present in uniform at a political meeting, unless they are on duty at that place;

(2) failing to show moderation in publicly expressing their political opinions;

(3) during an electoral period, publicly expressing their political opinions, soliciting funds for a candidate for election, a political office or a political party, or publicly expressing their support for a candidate for election or for a political party, within the territory where members usually perform their duties.

14. Members may not wear their uniforms, badges or service weapons or use other items belonging to the Sûreté when, while on duty, they engage in activities that are not part of the duties of a police officer.

15. Members who are aware of the commission of a breach of discipline affecting the protection and the safety of the public, who are informed of such breach of discipline, or who have reasonable and probable grounds for believing that such breach of discipline has been committed, must inform their immediate superior or the person in charge of processing complaints. The requirement does not apply to a member who is informed of such conduct when acting in the capacity of a union representative.

CHAPTER III DISCIPLINARY PROCESS

DIVISION I BREACHES OF DISCIPLINE

16. Any failure related to a duty or standard of conduct provided for in this By-law constitutes a breach of discipline and may entail the imposition of a penalty.

17. An immediate superior observing that a breach of discipline is being committed, who is informed or has reasonable and probable grounds for believing that a breach of discipline has been committed or is about to be committed, is authorized to give members an oral warning immediately or to impose a warning in writing subject to any other disciplinary penalty that may be imposed in accordance with this By-law.

A written warning imposed under this section that is not followed by a disciplinary complaint is removed from the member's personal file 12 months after its imposition, except for a subsequent offence of the same nature.

DIVISION II DISCIPLINARY COMPLAINT

18. The Director General designates an officer within the Sûreté as person in charge of processing disciplinary complaints. The officer may designate another officer to exercise the powers conferred on the officer by this By-law.

The Director General may also exercise the powers conferred on the person in charge of processing complaints by this By-law.

19. Any person may lodge a complaint against a member's conduct by sending it in writing to the member's immediate superior. The complaint must be in writing and signed.

A complaint may also be sent to every member of the Sûreté or the person in charge of processing complaints.

A complaint may originate from a competent authority of the Sûreté.

20. Any person who receives a complaint must send it to the person in charge of processing complaints.

The person in charge of processing complaints sends a complaint concerning the Director General to the Minister of Public Security and a complaint concerning a deputy director, the person in charge of processing complaints or a member of the personnel of that person to the Director General.

The Minister or the Director General who receives a complaint in accordance with the second paragraph plays the role entrusted to the person in charge of processing complaints by this By-law.

21. The person in charge of processing complaints must acknowledge receipt of a complaint from a person of the public.

22. The right to lodge a complaint in disciplinary matters against a member is prescribed 2 years after the date of the event or, in the case of a contravention of section 5, knowledge by the authorities of the Sûreté of the event that gave rise to the complaint.

23. A member may be the subject of a disciplinary complaint despite the fact that the member has been acquitted or convicted by a court of criminal or penal jurisdiction of an offence for which the facts giving rise to the accusation are the same as the facts of the alleged breach of discipline.

24. A member may not be the subject of a disciplinary complaint where the Comité de déontologie policière rendered a decision on similar conduct at the time of the same event.

A member may, however, be the subject of a disciplinary complaint for a violation committed during the same event that was not dealt with by the Police Ethics Commissioner.

25. For the purposes of this By-law, a member is not required to make a statement in relation to a complaint, but the member must provide, at the superior's request, a report concerning the activities performed during the member's work.

DIVISION III EXAMINATION OF COMPLAINTS

26. Within 40 days of receiving the complaint, the person in charge of processing complaints must, after a preliminary analysis,

(1) dismiss the complaint if it appears on its face frivolous, vexatious, unfounded or made in bad faith;

(2) assign the case to an investigator for an investigation to be carried out.

The person in charge of processing complaints must inform in writing the member concerned that a complaint has been lodged against the member and inform the member of the nature of the complaint and of the decision taken under the first paragraph within 10 days of that decision, except if the fact of informing the member is likely to interfere with the conduct of the investigation. The person also notifies the complainant of the decision.

Failure to notify the member concerned in accordance with this section may not lead to a dismissal of the complaint, unless the member establishes that he or she was prevented from the possibility to present a full and complete defence.

27. Before the beginning of the investigation or while the investigation is in progress, the person in charge of processing complaints may dismiss the complaint if, in the person's opinion,

(1) the complaint is frivolous, vexatious, unfounded or made in bad faith;

(2) the complainant refuses to cooperate in the investigation.

The person in charge of processing complaints must inform in writing the member concerned by the complaint and the complainant of the decision taken under the first paragraph.

28. When meeting a member against whom a disciplinary complaint has been made, the investigator has the hierarchical authority necessary to perform his or her duties.

29. The investigation report must be submitted to the person in charge of processing complaints within 120 days, except where exceptional circumstances warrant otherwise.

30. After analyzing the investigation report, the person in charge of processing complaints may

(1) dismiss the complaint if the person is of the opinion that it is frivolous, vexatious, unfounded, made in bad faith or that the evidence is insufficient;

(2) refer the complaint to conciliation;

(3) cite the member with a breach of discipline, except in the case of the Director General or a deputy director, in which case the complaint is sent to the Associate Secretary General responsible for senior positions at the Ministère du Conseil exécutif.

The person in charge of processing complaints informs the member concerned and the complainant of the decision taken under the first paragraph, including reasons.

31. Where the person in charge of processing complaints dismisses a complaint under section 30, he or she may, in the interest of the public, the Sûreté or the member who is the subject of the complaint,

(1) communicate to the member comments or observations of a nature to improve the member's professional conscience or to avert the commission of a breach of discipline;

(2) submit the member to a medical examination;

(3) order the member to undergo training or take a refresher course provided by a police training institution.

The comments or observations communicated to the member in accordance with subparagraph 1 of the first paragraph do not constitute a disciplinary action. They must be sent to the member by an officer and no copy is to be entered in the member's personal file.

32. The person in charge of processing complaints may suspend the disciplinary procedure where the member against whom a disciplinary complaint has been made is the subject of an investigation or criminal proceeding.

DIVISION IV CONCILIATION

33. The person in charge of processing complaints, when referring a complaint to conciliation in accordance with section 30, designates a conciliator and sends a copy of the file to the conciliator.

The member concerned and the complainant may also, with the authorization of the person in charge of processing complaints, have recourse to conciliation in every step of the disciplinary process. The person in charge of processing complaints designates a conciliator and sends of copy of the file to the conciliator.

34. The object of conciliation is to resolve the complaint lodged against one or more members through a settlement accepted by the complainant and the member and approved by the person in charge of processing complaints.

The complainant and the member must collaborate during the conciliation proceedings.

35. The conciliator serves a notice of meeting to the member and complainant indicating the date, time and place of the conciliation session at least 7 days before it is held.

The complainant may be accompanied by the person of his or her choice and the member may be accompanied by a member of his or her union or professional association.

36. At the end of conciliation, the settlement reached must be recorded in writing by the conciliator, signed by the complainant and the member, and approved by the person in charge of processing complaints. The complaint is deemed to have been withdrawn and no mention of the complaint is to be entered in the member's personal file.

37. A settlement must be reached within 45 days as of the date on which the file is sent to the conciliator by the person in charge of processing complaints who may authorize an extension of that period and fix the terms and conditions of any extension.

38. As soon as the conciliator concludes that conciliation will not lead to a settlement, the conciliator reports to the person in charge of processing complaints. The file is then returned to the person in charge of processing complaints so that the person may make a new decision under section 30.

39. The person in charge of processing complaints may terminate conciliation, if deemed necessary. The file is then returned to the person in charge of processing complaints so that the person may make a new decision under section 30.

40. No answer given and statement made by the complainant or member during conciliation may be used or admitted as evidence in judicial or quasi-judicial proceedings.

DIVISION V DISCIPLINARY CITATION

§1. *General*

41. A disciplinary citation is a proceeding subsequent to a complaint concerning the conduct of a member, the purpose of which is to decide whether the conduct is a violation of this By-law which may entail the imposition of a penalty.

The citation contains as many counts as there are alleged violations. Each count of a citation must describe the conduct constituting a violation of this By-law and indicate what provision has allegedly been violated, as well as the time and place of the alleged violation. The citation is served on the member concerned.

42. A breach of discipline with which a member is charged gives rise to a single violation per citation and is liable to a single penalty, except if that breach also constitutes a violation of subparagraph 1 of the second paragraph of section 5.

This section does not prevent a member from being charged with more than one breach of discipline committed at the time of the same event.

43. Where the person in charge of processing complaints cites a member with a breach of a discipline in accordance with section 30, the person must decide whether the citation will be heard before an officer designated in accordance with subdivision 2 or before the discipline committee in accordance with subdivision 3.

In addition, if the member is cited before the discipline committee, the person in charge of processing complaints determines whether the committee must sit at 1 or 3 members.

For the purposes of this section, the person in charge of processing complaints must consider whether the alleged violation involves a member of the public or not and the seriousness of the alleged violation, the complexity of the legal issues or the alleged facts, and whether the member has been previously disciplined.

44. Despite section 43, an officer must be cited before 3 members of the discipline committee.

45. The person in charge of processing complaints acts as the complainant where the member is cited with a breach of discipline.

The person in charge of processing complaints and the cited member are parties to the discipline proceedings.

46. After the filing of a disciplinary citation, the person in charge of processing complaints sends to the union or professional association representing the cited member all the evidence relating to the disciplinary complaint.

47. The person in charge of processing complaints may withdraw at all times a disciplinary citation that the person filed.

§2. Provisions relating to a citation before a designated officer

48. Where the person in charge of processing complaints cites a member before an officer, the person designates an officer from the district or management to which the cited member belongs and sends the file of the disciplinary complaint and the citation to the officer.

49. The designated officer serves on the cited member a notice of meeting indicating the date, time and place of the disciplinary interview at least 7 days before it is held.

Where the member does not present himself or herself at the date, time and place fixed, the file is then returned to the person in charge of processing complaints so that the person may make a new decision under section 30.

50. The member may be accompanied by a representative of his or her union association, which may intervene and make representations.

The member may rebut all the allegations contained in the investigation report and produce any document or transmit any information to explain the member's conduct.

Only the cited member is heard by the designated officer.

51. Unless the member's explanations require a supplementary investigation, the designated officer informs the member, within 7 days of the disciplinary interview, of the decision he or she intends to render, which includes, as the case may be, the penalty that would be imposed.

Where the member acknowledges having committed the alleged breach, the designated officer informs the member of the penalty that would be imposed.

52. The designated officer may impose on the member one of the following penalties for each alleged breach:

(1) an order imposing that the member comply with reasonable conditions considered by the designated officer desirable to ensure the member's good conduct and prevent any repetition of the offence;

(2) a warning;

(3) a reprimand;

(4) a suspension without salary for a maximum period of 5 days.

Members who fail to comply with the conditions of an order rendered under subparagraph 1 of the first paragraph commit a breach of discipline.

53. Not later than 15 days after the designated officer has presented the proposed decision or penalty, as the case may be, the member must indicate to the designated officer whether or not he or she agrees.

Members who do not indicate within that period whether or not they agree with the proposal are deemed not to agree.

54. Where members agree with the proposal, the designated officer drafts, gives reasons for and signs the decision, which is then sent to the member, the person in charge of processing complaints and the Director General within 10 days of acceptance of the proposal by the member.

55. Where the member does not agree with the proposal, the designated officer reports to the person in charge of processing complaints. The file is then returned to that person's authority so that the person may make a new decision under section 30.

56. No answer given and statement made by the member and no proposal made by the designated officer may be used or admitted as evidence in judicial or quasi-judicial proceedings.

57. The disciplinary procedure before the designated officer must be terminated within 45 days of the date on which the file is sent to the designated officer by the person in charge of processing complaints who may authorize an extension of that period and fix the terms and conditions of any extension.

§3. Provisions relating to a citation before the discipline committee

58. A discipline committee consisting of not more than 10 officers appointed by the Director General and 5 persons, who are not police officers, appointed by the Minister of Public Security is hereby established.

59. The Director General designates, among the officers, a chair and a vice-chair of the discipline committee.

If the chair is absent or unable to act, the chair is replaced by the vice-chair.

60. Members of the discipline committee are appointed for a term of 2 years. Their term may be renewed.

Despite the foregoing, the member of the committee seized of a matter in accordance with section 62 may continue to examine and decide the matter, despite the expiry of the member's term.

Where a member seized of a matter is absent or unable to act, the chair of the committee may designate another member in accordance with section 62 to continue to examine and decide the matter.

61. The discipline committee is under the Director General's authority in the performance of its duties.

62. On receipt of a citation, the chair of the discipline committee designates from among the members of the committee, as the case may be,

(1) 1 member who must be an officer and who acts alone and as chair of the hearing;

(2) 3 members, 1 of whom is not a police officer, specifying which of the members, who must be an officer, acts as chair of the hearing.

63. If the cited member is an officer, the chair of the hearing must be of a rank equal to or greater than the rank of the cited officer.

64. The cited member must inform the person in charge of processing complaints of his or her plea within 10 days of service of the disciplinary citation. The person in charge of processing complaints sends the plea to the chair of the discipline committee.

The member who does not inform of his or her plea within that period is presumed to have denied committing the alleged breach.

65. On receipt of a plea, the chair of the discipline committee sets the date, time and place of the hearing and serves a notice on the parties at least 7 days before the date set for the hearing.

66. At the hearing, the cited member may be represented by an advocate of his or her choice, at the member's expense, an advocate designated by the member's union or professional association, a member of that association or a member of the Sûreté.

If the person representing the cited member is not a representative of the member's association, the association may be represented by an observer.

67. The discipline committee may, if it is considered relevant, summon as witnesses members of the Sûreté at the request of one of the parties.

This provision must not be construed as restricting the power of the parties to have relevant witnesses be heard.

68. The cited member or the person representing the member may apply for the recusation of one of the members of the discipline committee for a ground of reasonable cause to fear that the member will not be impartial, in particular where the member

(1) could be called as a witness in the case;

(2) was directly or indirectly involved in the event that gave rise to the disciplinary complaint or in the processing of that complaint;

(3) was involved in a personal civil, criminal or family matter as regards the cited member.

69. A member presiding a hearing may convene the parties to a preparatory conference which may be held by means of a conference telephone call.

70. The discipline committee may, of its own authority or upon application by a party, for serious and valid reasons, postpone a hearing on the conditions it determines.

71. Where a cited member refuses or neglects, without valid reasons, to appear before the discipline committee or leaves the hearing room without authorization, the discipline committee may proceed in the member's absence.

72. At the hearing, the discipline committee must

(1) read the disciplinary citation to the cited member;

(2) allow the cited member to alter his or her plea;

(3) allow the cited member to present a full and complete defence;

(4) accept any evidence that it considers appropriate and relevant to ensure disclosure of the truth;

(5) call, administer oath, question and discharge witnesses.

73. At the hearing, the person in charge of processing complaints must

(1) describe the alleged breach of discipline;

(2) submit evidence and make appropriate representations.

74. The disciplinary citation may be amended at any time as may be required to protect the rights of the parties. The discipline committee may not allow any amendment which would result in an entirely new citation having no relation to the original citation, except with the consent of the parties.

75. The depositions of witnesses before the discipline committee are recorded.

76. Hearings before the discipline committee are public. Despite the foregoing, the discipline committee may, of its own initiative or upon request, order that a hearing be held *in camera* or ban the publication or release of any information or document it indicates, in the interest of morality or public order, in particular to protect a person's privacy or reputation or the confidentiality of a police investigation procedure, a source of information or a police operation procedure.

77. At the hearing, the discipline committee may be assisted by a legal counsel who advises the committee on all questions of law or procedure, but abstains from taking part in deliberations and decisions.

78. The discipline committee decides whether the conduct of the member constitutes a violation of this By-law and, if so, imposes a penalty.

Before imposing a penalty, the discipline committee must allow the parties to be heard on the penalty.

79. The disciplinary penalty must be proportionate to the seriousness of the alleged violation, considering the circumstances of the event, the general conduct of the member and the contents of the member's disciplinary file.

80. Where the discipline committee decides that the member's conduct constitutes a violation of this By-law or that the member acknowledges having committed the alleged violation, the committee imposes one of the following penalties to the member for each violation within 20 days or, as the case may be, within 20 days following the submissions on penalty:

(1) a warning;

(2) a reprimand;

(3) a disciplinary suspension without pay for a period not exceeding 15 working days, if the committee sits at 1 member, or not exceeding 60 working days, if the committee sits at 3 members.

Where the discipline committee sits at 3 members, it may also impose one of the following penalties for each violation:

- (1) a demotion;
- (2) dismissal.

81. The discipline committee may, if it considers it warranted by the interest of the public, the Sûreté or the cited member, order the member to comply with reasonable conditions considered by it desirable to ensure the member's good conduct and prevent any repetition of the offence. A member who fails or refuses to comply with such conditions commits a breach of discipline.

82. The discipline committee renders a decision based on the evidence collected during the hearing. The decision must be in writing, with reasons and signed by the participating members and sent to the cited member, the person in charge of processing complaints and the Director General within 30 days of the imposition of the penalty. The complainant is also informed of the discipline committee's decision.

The decision of the committee that sits at 3 members is made by a majority of the members.

DIVISION VI REVIEW AND EXECUTION OF A DISCIPLINARY DECISION

83. A review by the Director General may be made from a final decision of a designated officer or the discipline committee subsequent to the filing of a citation, at the request of a party within 15 days of the decision.

The Director General may also review such a decision of his or her own initiative within 30 days of the decision.

84. Before reviewing a decision, the Director General must so inform the parties and give them an opportunity to make representations in writing.

85. The Director General may confirm, cancel or amend the decision reviewed by the Director General and substitute therefor one of the penalties provided for in section 52 or 80, as the case may be.

The decision of the Director General is sent without delay to the member concerned and to the person in charge of processing complaints. The complainant is also informed of the Director General's decision.

86. Every disciplinary decision from a designated officer or the discipline committee becomes executory on the expiry of the period provided for in the second paragraph of section 83.

A review decision from the Director General is executory immediately.

87. Despite section 86, a disciplinary penalty of dismissal imposed on a member becomes executory on the Minister's decision.

88. A member on whom suspensions without pay have been imposed after more than one violation serves the penalties consecutively or concurrently, according to the decision of the designated officer or the discipline committee.

89. On a written application by a member on whom a suspension without pay has been imposed by a designated officer or the discipline committee, the Director General may determine that the number of days during which the member would thus be without pay be reduced totally or partially by the member's annual vacation, statutory holidays or future weekly leave at the rate of 1 per week.

On a written application by a member on whom a suspension without pay has been imposed by a designated officer or the discipline committee, the Director General may reduce the member's salary class for a duration equivalent to the number of days of the suspension.

The member must file those applications with the Director General not later than 7 days after the disciplinary decision has become executory.

90. No reference to a breach of discipline found not proved against a member may be entered in the member's personal file.

DIVISION VII STRIKING OFF OF A DISCIPLINARY PENALTY

91. A member on whom a disciplinary penalty other than dismissal has been imposed may, after 3 years in the case of a disciplinary suspension without pay or of a demotion and after 2 years in the case of a warning or a reprimand, apply in writing to the Director General for the penalty to be dismissed.

92. If the Director General grants the dismissal application, no reference to the disciplinary penalty may be kept in the member's personal file.

CHAPTER IV INTERPRETATION

93. The powers assigned to the Director General by this By-law may also be exercised by an officer designated by the Director General.

94. This By-law must not be construed as restricting the administrative power of the Director General to suspend temporarily with or without pay a member suspected of having committed a criminal or penal offence or a serious breach of discipline where the Director General is of the opinion that it is expedient to remove such member temporarily from the Sûreté.

CHAPTER V TRANSITIONAL AND FINAL

95. Every disciplinary complaint whose process is in progress on 12 december 2012 is continued in accordance with this By-law, with the necessary modifications.

The periods for the striking off of a penalty in section 91 apply to the disciplinary penalties imposed before the coming into force of this By-law.

96. The members of the discipline committee appointed in accordance with section 53 of the Regulation respecting the discipline of members of the Sûreté du Québec (chapter P-13.1, r. 2) become members of the discipline committee constituted in accordance with section 58 of this By-law.

97. This By-law replaces the Regulation respecting the discipline of members of the Sûreté du Québec (chapter P-13.1, r. 2).

98. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2328

Gouvernement du Québec

O.C. 1078-2012, 14 November 2012

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

Commission de la construction du Québec — Levy

Levy Regulation of the Commission de la construction du Québec

WHEREAS, under subparagraph c of the first paragraph of section 82 of the Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec may, by regulation approved by the Government and published in the *Gazette officielle du Québec*, levy upon the employer alone or upon both the employer and the employee, or upon the employee alone, the amounts required for its administration and fix a minimum amount which an employer is bound to pay per monthly period;

WHEREAS the board of directors of the Commission made such a regulation by resolution CCQ-124233 on 25 April 2012;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2012 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS no comment was received following the publication and it is expedient to approve the Regulation without amendment;

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

THAT the Levy Regulation of the Commission de la construction du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Levy regulation of the commission de la construction du Québec

Act respecting labour relations, vocational training and manpower management in the construction industry (chapter R-20, s. 82, 1st par. Subpar. c)

1. The levy imposed by the Commission de la construction du Québec is:

(1) in the case of an employer, 0.75 of 1% of the total remuneration paid to his employees;

(2) in the case of an independent contractor, 0.75 of 1% of his remuneration as an independent contractor;

(3) in the case of an employee, 0.75 of 1% of his remuneration.

Notwithstanding the first paragraph, the minimum amount that an employer or an independent contractor is bound to pay the Commission per monthly period is \$10.

- 2.** The employer shall collect, on behalf of the Commission, the amount levied upon his employees by means of a weekly deduction on their wages.
- 3.** The independent contractor shall deduct weekly, out of the remuneration he received as an independent contractor, the amount levied upon him.
- 4.** The employer and the independent contractor shall remit to the Commission the amount levied for a monthly period in pursuance of this Regulation, not later than the 15th of the following month.
- 5.** This Regulation comes into force on 1 January 2013.

2329

Gouvernement du Québec

O.C. 1079-2012, 14 November 2012

An Act respecting occupational health and safety
(chapter S-2.1)

Occupational health and safety — Amendment

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 3, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety, a draft of the Regulation to amend the Regulation respecting occupational health and safety was published in Part 2 of the *Gazette officielle du Québec* of 9 November 2011 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation without amendment at its meeting of 21 June 2012;

WHEREAS it is expedient for the Government to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety

An Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 3, 19 and 42,
and 2nd par.)

- 1.** The Regulation respecting occupational health and safety (c. S-2.1, r. 13) is amended in Part 1 of Schedule I by replacing the specificities for the following substances:

Substance	[#CAS]	TWA/EV		STEV/Ceiling		Designations and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Maleic anhydride	[108-31-6]	0.25	1.0			S
Phthalic anhydride	[85-44-9]	1	6.1			S
Cobalt elemental, and inorganic compounds (as Co)	[7440-48-4]		0.02			C3, S
Ethylenediamine	[107-15-3]	10	25			Pc, S
Platinum Metal	[7440-06-4]		1			S
Soluble salts (as Pt)			0.002			S
Manganese Fume, dust and compounds (as Mn)	[7439-96-5]		0.2			Td

2. This Regulation comes into force on the 13 December 2012 except for the amendment concerning the “Manganese” substance which comes into force on 13 December 2013.

2330

Gouvernement du Québec

O.C. 1101-2012, 21 November 2012

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

Construction industry — Labour-referral service licence

Regulation respecting the labour-referral service licence in the construction industry

WHEREAS, under subparagraph 8.7 of the first paragraph of section 123 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Government may, by regulation, provide for the issue of labour-referral service licences and, more particularly, determine categories of licences, their terms, and any conditions, restrictions or prohibitions pertaining to their issue, the activities they permit or their renewal, the penalties applicable for failure to comply with applicable conditions, restrictions or prohibitions, the proceedings that may be brought before the Commission des relations du travail, and any element of procedure specific to such proceedings;

WHEREAS, under section 76 of the Act to eliminate union placement and improve the operation of the construction industry (2011, chapter 30), the first government regulation made under subparagraph 8.7 of the first paragraph of section 123 of the Act respecting labour relations, vocational training and workforce management in the construction industry is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and, despite section 17 of that Act, it comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the Regulation respecting the labour-referral service licence in the construction industry, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the labour-referral service licence in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123, 1st par., subpar. 8.7)

DIVISION I LICENCE

1. The labour-referral service licence authorizes the association holding it to refer, through the Service de référence de main-d'œuvre administered by the Commission de la construction du Québec pursuant to section 107.7 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), employees practising the trades and occupations indicated in the licence, in the regions indicated in the licence.

The regions that may be indicated in a licence are those described in the Regulation respecting the hiring and mobility of employees in the construction industry (chapter R-20, r. 6.1).

Despite the first paragraph, an association holding a labour-referral service licence may refer members in a region not covered by its licence when so authorized pursuant to the provisions of a regulation made under subparagraph 8.6 of the first paragraph of section 123 of the Act.

2. A licence issued to an association of employees authorizes the association to refer its members.

A licence issued to an association of employers, an association of contractors or a sector-based employers' association within the meaning of section 1 of the Act authorizes the association to refer the employees registered in its referral service.

3. Two related associations of employees may not obtain a licence to refer the same employees.

In this Regulation, "related association of employees" means 2 associations of employees, one being affiliated with the other.

4. A licence comes into force on the day of its issue or on the later date indicated on it. It is valid for a term of 3 years.

5. A licence provides at least the following particulars:

(1) the name and address of the head office of the association holding it and, in the case of an association of employees affiliated to a representative association, the name of the latter association;

(2) the dates on which it comes into force and expires;

(3) all trades, occupations and regions covered;

(4) the name of the respondent.

A licence bears the signature of the Minister of Labour.

6. A licence may not be transferred.

DIVISION II ISSUE, AMENDMENT AND RENEWAL

§1. *Conditions of issue*

7. An association must, to obtain a labour-referral service licence, make an application to the Bureau des permis de service de référence de main-d'œuvre established under section 107.4 of the Act.

8. An application may not cover a trade or occupation that is not practised by the association's members or by the employees of the employers represented by the association, as the case may be.

It may not cover a region in which the association does not carry on activities.

9. An application is made using the form prescribed by the Bureau and contains

(1) the name of the association, the address of its head office and other contact information;

(2) the region in which the association carries on activities;

(3) the trades or occupations practised by the association's members or the employees of the employers represented by the association, as the case may be, and, in the case of an association of employees, whether there is any related association of employees whose members practise the same trades or the same occupations in a region referred to in paragraph 2;

(4) the name of the association's officers or representatives, specifying their role in it and identifying the person who is designated to act as respondent with the Bureau;

(5) every trade, occupation and region covered by the application.

In this Regulation, "representative" includes any person called upon to determine the employees who will be referred or to join the employees for that purpose.

10. An application is signed by the association's chair or by its respondent and accompanied by the following documents:

(1) the association's constituting act, its by-laws and statutes, and a document evidencing that it is affiliated with a representative association, if applicable;

(2) a true copy of the resolution authorizing the application for a licence, which must indicate every trade, every occupation and every region covered;

(3) a sworn statement from the association's chair or its respondent stating the existence or absence of criminal or penal convictions during the 5 years preceding the application with respect to each officer or representative of the association in office at the time of the application and, in case of a conviction, the documents evidencing the conviction.

11. In addition to the documents provided for in section 10, a related association of employees applying for a licence must send a written agreement in which the 2 related associations confirm that they want the applicant association to be the one between the two that will be responsible for referring their members concerning any trade, occupation and region covered by the application.

§2. *Decision concerning the issue*

12. The decision concerning the issue of the licence is made within 30 days of the applicant's receipt. However, if observations are required pursuant to the provisions of this Subdivision, the decision is made not later than 30 days after the end of the period allocated for making observations.

An application for a licence is considered received only from the time all the information and documents required under Subdivision 1 have been provided.

13. The Bureau issues a licence if all the conditions for its issue are met.

14. The Bureau refuses to issue a licence in the following cases:

(1) the association does not meet all the conditions for the issue of the licence;

(2) all the trades, occupations and regions covered by the application are covered by a licence issued to a related association of employees;

(3) the association has attempted to have a licence issued under false representations or by providing false information;

(4) the association or one of its officers or representatives has exerted pressure upon, threatened, intimidated or assaulted in any way whatsoever a member of the Government, a member of the personnel of the Minister of Labour or of the department, or an officer or member of the personnel of the Commission for the purpose of being issued a licence.

15. The Bureau issues a licence that differs from the licence applied for by the association in the following cases:

(1) the trades or occupations covered by the application do not totally correspond to the trades or occupations practised by the employees represented by that association or by the employees of the employers it represents, as the case may be;

(2) the regions covered by the application do not totally correspond to the regions in which the association carries on activities;

(3) some of the trades, occupations and regions covered by the application are covered by a licence issued to a related association of employees.

16. If it intends to refuse to issue a licence or to issue a licence that differs from the one applied for, the Bureau must, within 30 days of receiving the application, give to the association the prior written notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and grant it at least 10 days to present observations.

17. If the Bureau refuses to issue the licence or issues a licence different from the one applied for, the Bureau renders a substantiated decision in writing.

§3. *Special procedure in absence of agreement provided for in section 11*

18. Despite section 12, an application is deemed validly received even in the absence of the agreement provided for in section 11.

In such a case, the Bureau gives notice to the other related association of employees of the application and, if it has not already received an application to that effect from that association, of its right to apply for a licence and of the consequences of a renunciation. The notice indicates that the related association has a maximum of 10 days and a maximum of 30 days, respectively, to make its intention known and, if applicable, to make an application in accordance with Subdivision 1. A copy of the notice is sent to the applicant association.

Failure to respond or to make an application within the allocated time is equal to a renunciation. The Bureau renders its decision within 30 days of the renunciation, if applicable. Sections 13 to 17 then apply, with the necessary modifications.

19. Where both related associations of employees apply for the issue of a licence covering a given trade or occupation in a given region, the Bureau informs them and requires their observations, within the time it allows which may not be less than 10 days. Those observations pertain to the reasons explaining the absence of an agreement provided for in section 11, to the means at the disposal of the association or that it intends to take to fulfil its referral functions effectively, and to any other fact likely to support the licence application.

The decision concerning the issue of the licence is made not later than 30 days after the end of the period allocated to the related associations of employees to present their observations.

Sections 13 to 17 then apply, with the necessary modifications, which include the sending of the prior notice provided for in section 16 to both related associations of employees.

§4. Register

20. The Bureau publishes on the Internet a register of associations holding a labour-referral service licence, in which it enters the particulars provided for in the first paragraph of section 5.

The register also mentions any penalty imposed under Division IV, in accordance with section 51, and, for 2 years, any refusal to renew.

§5. Amendment

21. An association holding a licence may apply for an amendment in order to add or remove a trade, occupation or region.

22. An application for amendment is made using the form prescribed by the Bureau. It states the reasons for the amendment applied for and contains an update of the information provided for in section 9.

The agreement provided for in section 11 is attached to the application, if applicable.

23. The application for amendment is signed by the chair of the association or by its respondent and is accompanied by a true copy of the resolution authorizing the application.

24. A new licence valid for 3 years is issued if the application for amendment is granted.

The Bureau may require the return of the licence replaced by the new licence.

25. Sections 12 and 16 to 19 apply to an application for amendment, with the necessary modifications.

26. The Bureau amends a licence if all the conditions for its issue provided for in sections 7 to 11 are met, with the necessary modifications.

27. The Bureau refuses to amend a licence in the following cases:

(1) the association does not meet all the conditions for the issue of a licence provided for in sections 7 to 11, with the necessary modifications;

(2) all the trades, occupations and regions whose addition is applied for are covered by a licence issued to a related association of employees;

(3) the association has attempted to obtain the amendment of the licence under false representations or by providing false information;

(4) the association or one of its officers or representatives has exerted pressure upon, threatened, intimidated or assaulted in any way whatsoever a member of the Government, a member of the personnel of the Minister of Labour or of the department, or an officer or member of the personnel of the Commission, with a view to obtaining a licence amendment.

28. The Bureau issues an amended licence different from that applied for by the association in the following cases:

(1) the trades or occupations whose addition is applied for do not totally correspond to the trades or occupations practised by the employees represented by that association or by the employees of the employers it represents, as the case may be;

(2) the regions whose addition is applied for do not totally correspond to the regions in which the association operates;

(3) some of the trades, occupations and regions whose addition is applied for are covered by a licence issued to a related association of employees.

§6. *Renewal*

29. A licence is renewable on the conditions provided for in sections 7 to 11, with the necessary modifications.

30. The Bureau sends the association a notice indicating the date of expiry of its licence at least 60 days before it expires.

Failure to receive the notice does not release the association from its obligations.

31. The association must send its application for renewal of its licence at least 30 days before the date on which the licence expires.

32. Despite section 29, an association that makes its application for renewal within the time allowed is exempted from providing a document already provided with a previous application, if the association certifies that the information in the document is still accurate. However, in every other case, the application is accompanied by the statement provided for in paragraph 3 of section 10.

33. Sections 12, 16 and 17 apply to an application for renewal, with the necessary modifications.

34. The Bureau renews a licence if all the conditions for its issue provided for in sections 7 to 10 are met, with the necessary modifications.

35. The Bureau refuses to renew a licence in the following cases:

(1) the association does not meet all the conditions for the issue of a licence provided for in sections 7 to 10, with the necessary modifications;

(2) the association or one of its officers or representatives, in any capacity whatsoever, in office at the time of the application, has been found guilty, during the 5 years preceding the application, of a criminal or penal offence which, in the opinion of the Bureau, is related to labour referral or union placement;

(3) the association has attempted to obtain the renewal of the licence under false representations or by providing false information;

(4) the association or one of its officers or representatives has exerted pressure upon, threatened, intimidated or assaulted in any way whatsoever a member of the Government, a member of the personnel of the Minister of Labour or of the department, or an officer or member of the personnel of the Commission, with a view to obtaining a licence renewal.

36. The Bureau may renew and amend an association's licence at the same time if application is made in accordance with the provisions of subdivision 5 or, failing that, to remove trades, occupations or regions if they no longer correspond to the trades, occupations or regions indicated in the application for renewal pursuant to section 9.

DIVISION III STANDARDS APPLICABLE TO ASSOCIATIONS HOLDING A LICENCE

§1. *General*

37. In the course of its activities, an association holding a licence must comply with the standards provided for in this Division.

§2. *Keeping of a register and relations with the Bureau*

38. An association must establish and maintain a register of the requests received and referrals made between 1 January and 31 December of each year.

The association must keep any established register for 3 years.

39. An association must allow the Bureau to have access to its registers and give the Bureau a copy upon request.

40. An association must inform the Bureau without delay of any change in information or a document required by this Regulation, particularly in case of a change of officer or representative.

41. An association must respond to any request, within the time and on the conditions indicated by the Bureau, pertaining to the updating of the information or documents concerning the association.

§3. *Ethics*

42. In all its activities pertaining to labour referral, an association must act according to the requirements of good faith, particularly by adopting a conduct free of any form of discrimination and intimidation.

43. An association may not, in respect of an employee,

(1) advantage or penalize the employee, particularly for a reason related to his or her participation in the association's activities or governing bodies;

(2) penalize the employee for exercising a right granted by the Act or a regulation thereunder.

44. An association may not require the payment of specific fees for a referral or for registration in a referral service.

45. Every association must adopt a code of ethics and internal management rules in matters of referral, in particular with respect to its referral criteria, which must be posted on its website. The code of ethics must contain at least the items mentioned in sections 42 and 43.

The code and rules are sent to the Bureau within 6 months of the issue of the licence. An update is also sent within 6 months of a renewal. Failure to send the code and rules entails suspension of the licence under subparagraph 2 of the first paragraph of section 46.

The code and rules are made accessible through the register published in accordance with section 20.

DIVISION IV **ADMINISTRATIVE PENALTIES**

46. The Bureau may, for the time it determines, suspend or restrict a licence in the following cases:

(1) the association no longer meets the conditions for the issue of the licence;

(2) the association contravenes a standard in Division III;

(3) the association has obtained the issue, amendment or renewal of a licence, or the lifting of a licence suspension or restriction, under false representations or by providing false information;

(4) the association or one of its officers or representatives, exerted pressure upon, threatened, intimidated or assaulted in any way whatsoever a member of the Government, a member of the personnel of the Minister of Labour or of the department, or an officer or member of the personnel of the Commission, in connection with labour referral.

A restriction may include a prohibition to refer employees for a particular trade or occupation or in a region, or may prohibit a person from acting on behalf of an association holding a licence. A prohibition concerning a person may apply to several licence holders.

47. The Bureau may extend a licence suspension or restriction for the time it determines.

48. The Bureau may revoke a licence for a reason provided for in section 46 if the seriousness of the offence warrants it, in particular if the association or one of its officers or representatives, in any capacity whatsoever,

is found guilty of a criminal or penal offence which, in the opinion of the Bureau, is related to labour referral or union placement.

49. The Bureau must, before making a decision under section 46, 47 or 48, give in writing to the association the prior notice prescribed by section 5 of the Administrative Justice Act (chapter J-3) and grant it at least 10 days to submit observations.

The Bureau must render a substantiated decision in writing within 30 days of the end of the time granted to submit observations.

50. The Bureau may revoke a licence without prior notice if the association informs it in writing that it has ceased all referral activities.

51. A penalty imposed under this Division is made public by entering it in the register of associations holding a labour-referral licence kept by the Bureau.

Such an entry must appear in the register for the term of the penalty or, in the case of a revocation, for 2 years.

52. Imposing a restriction regarding a trade, occupation or region entails the issue of a new licence valid for the term of the restriction, which replaces the licence initially issued.

When the restriction ends before the date on which the replaced licence would have expired, that licence is returned to the association if the Bureau requires its return in accordance with section 53.

53. The Bureau may require the return of every licence that is suspended, revoked or replaced.

54. An association may request the lifting of a suspension or restriction if new facts likely to warrant a different decision may be raised. Section 49 then applies.

55. An association whose licence has been revoked under a decision made pursuant to section 48 for less than 2 years may not make an application for a licence, unless the association raises new facts likely to warrant a different decision.

The foregoing also applies when the association has been denied the issue of a licence or its renewal for a reason provided for in paragraph 3 or 4 of section 14 or 35.

56. An association of employees may not apply for a licence for the purpose of referring employees who may no longer be referred by reason of a penalty imposed pursuant to section 46, 47 or 48 to a related association of employees.

Such prohibition is valid for the term of the penalty, or for 2 years in the case of a licence revocation.

DIVISION V RECOURSE BEFORE THE COMMISSION DES RELATIONS DU TRAVAIL

57. An association that believes it has been wronged by a decision rendered by the Bureau pursuant to this Regulation may, within 30 days of being notified of the decision, contest it in writing before the Commission des relations de travail.

Such contestation is a matter that must be heard and decided by preference.

58. This Regulation comes into force 28 November 2012.

2337

M.O., 2012

Order number 2012-08 of the Minister of Transport dated 15 November 2012

An Act respecting off-highway vehicles
(chapter V-1.2, s. 47.1)

Extension of the duration of the Pilot project concerning add-on seats for single-seat snowmobiles

THE MINISTER OF TRANSPORT,

CONSIDERING section 47.1 of the Act respecting off-highway vehicles, which provides that the Minister of Transport may by order

(1) authorize the carrying out of pilot projects aimed at testing the use of an off-highway vehicle or of equipment related to its functioning or safety, or at improving or elaborating traffic rules or standards for equipment or safety;

(2) make, during any pilot project, any rule concerning the use of a vehicle and authorize any person or body to use a vehicle according to standards and rules the Minister makes that differ from those provided for by the Act and its regulations;

CONSIDERING the second paragraph of that section, which provides that

(1) such pilot projects are established for a maximum of three years, a period which the Minister may, if the Minister judges it necessary, extend for a maximum of two years;

(2) the Minister may modify or terminate a pilot project at any time;

(3) the Minister may also determine, among the provisions of an order made under that section, those whose violation constitutes an offence, and fix the minimum and maximum fines to which the offender is subject. This amount may not be less than \$50 or more than \$1,000;

CONSIDERING the third paragraph of that section, which provides that an order made under that section is not subject to the publication requirement set out in section 8 of the Regulations Act (c. R-18.1);

CONSIDERING Order 2009-16 of the Minister for Transport dated 11 November 2009 which authorizes, during any pilot project, the use of add-on seats for single-seat snowmobiles on certain grounds (c. V-1.2, r. 2);

CONSIDERING the revocation of the Order on 17 December 2012;

CONSIDERING that it is necessary to extend the duration of the Order for two years;

ORDERS THE FOLLOWING:

1. Section 14 of the Order respecting the Pilot project concerning add-on seats for single-seat snowmobiles (c. V-1.2, r. 2) is amended by replacing “2012” by “2014”.

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

SYLVAIN GAUDREAU,
Minister of Transport

2312

M.O., 2012**Order of the Minister of Sustainable Development,
Environment, Wildlife and Parks dated
16 November 2012**

Natural Heritage Conservation Act
(chapter C-61.01)

Extension of the setting aside of land for three proposed
ecological reserves

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING section 88 of the Natural Heritage
Conservation Act (chapter C-61.01), which provides that
the ecological reserves existing on 19 December 2002 are
maintained, that they are deemed to have been set aside,
in accordance with Title III of the Act, for a period of
4 years beginning on 19 December 2002 and that they are
governed, as of the same date, by the provisions of the Act;

CONSIDERING the Minister's Orders made in accord-
ance with section 28 of the Natural Heritage Conservation
Act by the Minister of Sustainable Development,
Environment and Parks, on 23 November 2006 (2006,
G.O. 2, 3913) and 5 November 2008 (2008, *G.O.* 2, 5153),
whereby the setting aside of the following land has been
extended until 19 December 2012:

— the proposed Matamec ecological reserve (northern
portion);

— the proposed Ruisseau-Clinchamp ecological
reserve;

— the proposed Paul-Provencher ecological reserve;

CONSIDERING that it is necessary to extend the setting
aside of land for a period of 4 years to complete the steps
that may lead to the assignment of permanent protection
status for those territories;

CONSIDERING section 28 of the Natural Heritage
Conservation Act which provides that the renewals or
extensions of the setting aside of land may not, unless so
authorized by the Government, be such that the term of
the setting aside exceeds 6 years;

CONSIDERING Order in Council 762-2012 dated
4 July 2012 whereby the Government authorized the
Minister of Sustainable Development, Environment and
Parks to extend the setting aside of the land for a period
of 4 years beginning on 19 December 2012;

ORDERS AS FOLLOWS:

The setting aside of the following land is hereby
extended for a period of 4 years beginning on 19 December
2012:

— the proposed Matamec ecological reserve (northern
portion);

— the proposed Ruisseau-Clinchamp ecological
reserve;

— the proposed Paul-Provencher ecological reserve.

Québec, 16 November 2012

DANIEL BRETON,
*Minister of Sustainable Development, Environment,
Wildlife and Parks*

2335

Draft Regulations

Draft Regulation

Professional Code
(chapter C-26)

Guidance counsellors — Committee on training

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 committee on training of guidance counsellors, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix, pursuant to the second paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), the terms and conditions of cooperation between the Ordre des conseillers et conseillères d'orientation du Québec and the authorities of the educational institutions that issue diplomas giving access to the permit of the Order. It provides for the establishment of an advisory committee for guidance counsellors. That committee replaces the division that is responsible for the training of guidance counsellors within the committee on training of guidance counsellors and psychoeducators, in accordance with the Regulation respecting the committee on training of guidance counsellors and psychoeducators (c. C-26, r. 70). That Regulation applied to guidance counsellors at the time of the withdrawal of psychoeducators from the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, until this Regulation is made by the Government.

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

The draft Regulation will be submitted to the Office des professions du Québec for consultation. The Office will send the results of consultations with educational institutions and other bodies listed in the Professional Code to the Minister of Justice.

Further information may be obtained by contacting Martine Lacharité, Director General, Ordre des conseillers et conseillères d'orientation du Québec, 1600, boulevard Henri-Bourassa Ouest, bureau 520, Montréal (Québec) H3M 3E2; telephone: 514 737-4717 or 1 800 363-2643; fax: 514 737-2172; email: mlacharite@orientation.qc.ca

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

BERTRAND ST-ARNAUD,
Minister of Justice

Regulation respecting the committee on training of guidance counsellors

Professional Code
(chapter C-26, s. 184, 2nd par.)

1. A committee on training is hereby established within the Ordre des conseillers et conseillères d'orientation du Québec.

2. The committee is an advisory committee whose mandate is to examine matters relating to the quality of the training of guidance counsellors, in keeping with the respective and complementary jurisdictions of the Order, the educational institutions at the university level and the Minister of Higher Education, Research, Science and Technology.

Quality of training means the adequacy of training in relation to the professional skills to be acquired to practise as a guidance counsellor.

In that respect, the committee is to consider

(1) the objectives of the training programs offered by educational institutions at the university level that lead to a diploma giving access to a permit or a specialist's certificate;

(2) the objectives of the other terms and conditions for the issue of permits or specialist's certificates that may be imposed by a regulation of the board of directors, such as a professional training period, course or examination; and

(3) the diploma or training equivalence standards prescribed by regulation of the board of directors, giving access to a permit or a specialist's certificate.

3. The committee is composed of 5 members chosen for their knowledge and the responsibilities they exercise in relation to the matters referred to in section 2.

The Conference of Rectors and Principals of Québec Universities appoints 2 members.

The Minister of Higher Education, Research, Science and Technology or the Minister's representative appoints 1 member and, if necessary, 1 alternate.

The board of directors appoints 2 members of the Order, and the committee selects 1 of those 2 members as its chair.

The committee may also authorize persons or representatives of bodies concerned to take part in its meetings.

4. The term of office of members of the committee is 3 years.

They remain in office until they are reappointed or replaced.

5. The functions of the committee are

(1) to review each year the quality of training, in the light of developments in knowledge and practice, particularly as regards protection of the public. Where applicable, the committee is to report to the board of directors; and

(2) to give an opinion to the board of directors regarding the quality of training,

(a) in respect of projects involving the review or development of the objectives or standards referred to in the third paragraph of section 2; and

(b) on the means that could promote the quality of training, in particular by proposing solutions to the problems observed.

The committee is to include in its report, where applicable, and in its opinion the point of view of each of its members.

6. The members of the committee must endeavour to collect information relevant to the committee's functions from the bodies that appointed them or from any other person or body concerned.

7. The chair sets the date, time and place of the committee's meetings.

Despite the foregoing, the chair is to call a meeting if at least 3 of its members so request.

8. The committee is to hold at least 2 meetings per year.

9. The quorum of the committee is 3 members, including 1 member appointed by the board of directors, 1 by the Conference and 1 by the Minister of Higher Education, Research, Science and Technology.

10. The secretarial services required by the committee are provided by the Order.

The person designated by the Order to act as secretary sees to the drawing up and conservation of the committee's minutes, reports and opinions.

11. The board of directors must send a copy of the committee's report, where applicable, and the committee's opinion to the Conference, the Minister of Higher Education, Research, Science and Technology and the Office des professions du Québec.

12. The annual report of the Order must contain the conclusions of the committee's report, where applicable, and of its opinions.

13. This Regulation replaces the Regulation respecting the committee on training of guidance counsellors and psychoeducators (c. C-26, r. 70).

Despite sections 3 and 4, the members appointed in the division responsible for the training of guidance counsellors under the provisions replaced by this Regulation are members of the committee on training of guidance counsellors until their term expires. They are then replaced in the manner provided for in this Regulation.

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

Draft Regulation

Professional Code
(chapter C-26)

Nurses

— Diplomas giving access to specialist's certificates

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

The purpose of the draft Regulation is to add to section 1.17 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders the new diplomas issued by the Université du Québec en Abitibi-Témiscamingue and the Université du Québec à Chicoutimi which give access to the specialist's certificate, nurse practitioner specializing in first-line care, of the Ordre des infirmières et infirmiers du Québec.

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

It will be submitted to the Office des professions du Québec and to the Ordre des infirmières et infirmiers du Québec for their opinion. To that end, the Office will seek the opinion of the Order and send it to the Minister of Justice with its own opinion, after consultations with the educational institutions and other bodies concerned.

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

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

BERTRAND ST-ARNAUD,
Minister of Justice

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

Professional Code
(chapter 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 (c. C-26, r. 2) is amended in section 1.17 by adding the following after paragraph f of subparagraph 4 of the second paragraph:

“(g) Maîtrise en sciences infirmières (M. Sc.) (soins de première ligne) held with the Diplôme d'études supérieures spécialisées en sciences infirmières (soins de première ligne), from the Université du Québec en Abitibi-Témiscamingue;

(h) Maîtrise en sciences infirmières (M. Sc.) (soins de première ligne) held with the Diplôme d'études supérieures spécialisées en sciences infirmières (soins de première ligne), from the Université du Québec à Chicoutimi.”

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

2332

Draft Regulation

Professional Code
(chapter C-26)

Psychoeducators

— Committee on training

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 committee on training of psychoeducators, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix, pursuant to the second paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), the terms and conditions of cooperation between the Ordre des psychoéducateurs et psychoéducatrices du Québec and the authorities of the

educational institutions that issue diplomas giving access to the permit of the Order. It provides for the establishment of an advisory committee for psychoeducators. That committee replaces the division that is responsible for the training of psychoeducators within the committee on training of guidance counsellors and psychoeducators, in accordance with the Regulation respecting the committee on training of guidance counsellors and psychoeducators (c. C-26, r. 70). That Regulation applied to psychoeducators at the time of the establishment of the Ordre des psychoéducateurs et psychoéducatrices du Québec, until this Regulation is made by the Government.

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

The draft Regulation will be submitted to the Office des professions du Québec for consultation. The Office will send the results of consultations with educational institutions and other bodies listed in the Professional Code to the Minister of Justice.

Further information may be obtained by contacting Renée Verville, Director General and Secretary, Ordre des psychoéducateurs et psychoéducatrices du Québec, 1600, boulevard Henri-Bourassa Ouest, bureau 510, Montréal (Québec) H3M 3E2; telephone: 514 333-6601 or 1 877 913-6601; fax: 514 333-7502; email: rverville@ordrepsed.qc.ca

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

BERTRAND ST-ARNAUD,
Minister of Justice

Regulation respecting the committee on training of psychoeducators

Professional Code
(chapter C-26, s. 184, 2nd par.)

1. A committee on training is hereby established within the Ordre des psychoéducateurs et psychoéducatrices du Québec.

2. The committee is an advisory committee whose mandate is to examine matters relating to the quality of the training of psychoeducators, in keeping with the

respective and complementary jurisdictions of the Order, the educational institutions at the university level and the Minister of Higher Education, Research, Science and Technology.

Quality of training means the adequacy of training in relation to the professional skills to be acquired to practise as a psychoeducator.

In that respect, the committee is to consider

(1) the objectives of the training programs offered by educational institutions at the university level that lead to a diploma giving access to a permit or a specialist's certificate;

(2) the objectives of the other terms and conditions for the issue of permits or specialist's certificates that may be imposed by a regulation of the board of directors, such as a professional training period, course or examination; and

(3) the diploma or training equivalence standards prescribed by regulation of the board of directors, giving access to a permit or a specialist's certificate.

3. The committee is composed of 5 members chosen for their knowledge and the responsibilities they exercise in relation to the matters referred to in section 2.

The Conference of Rectors and Principals of Québec Universities appoints 2 members.

The Minister of Higher Education, Research, Science and Technology or the Minister's representative appoints 1 member and, if necessary, 1 alternate.

The board of directors appoints 2 members of the Order, and the committee selects 1 of those 2 members as its chair.

The committee may also authorize persons or representatives of bodies concerned to take part in its meetings.

4. The term of office of members of the committee is 3 years.

They remain in office until they are reappointed or replaced.

5. The functions of the committee are

(1) to review each year the quality of training, in the light of developments in knowledge and practice, particularly as regards protection of the public. Where applicable, the committee is to report to the board of directors; and

(2) to give an opinion to the board of directors regarding the quality of training,

(a) in respect of projects involving the review or development of the objectives or standards referred to in the third paragraph of section 2; and

(b) on the means that could promote the quality of training, in particular by proposing solutions to the problems observed.

The committee is to include in its report, where applicable, and in its opinion the point of view of each of its members.

6. The members of the committee must endeavour to collect information relevant to the committee's functions from the bodies that appointed them or from any other person or body concerned.

7. The chair sets the date, time and place of the committee's meetings.

Despite the foregoing, the chair is to call a meeting if at least 3 of its members so request.

8. The committee is to hold at least 2 meetings per year.

9. The quorum of the committee is 3 members, including 1 member appointed by the board of directors, 1 by the Conference and 1 by the Minister of Higher Education, Research, Science and Technology.

10. The secretarial services required by the committee are provided by the Order.

The person designated by the Order to act as secretary sees to the drawing up and conservation of the committee's minutes, reports and opinions.

11. The board of directors must send a copy of the committee's report, where applicable, and the committee's opinion to the Conference, the Minister of Higher Education, Research, Science and Technology and the Office des professions du Québec.

12. The annual report of the Order must contain the conclusions of the committee's report, where applicable, and of its opinions.

13. This Regulation replaces the Regulation respecting the committee on training of guidance counsellors and psychoeducators (c. C-26, r. 70).

Despite sections 3 and 4, the members appointed in the division responsible for the training of psychoeducators under the provisions replaced by this Regulation are members of the committee on training of psychoeducators until their term expires. They are then replaced in the manner provided for in this Regulation.

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

2333

Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1)

Measures to reduce the effects of the financial crisis on pension plans covered by the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the draft Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act, appearing below, may be made on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to clarify two formulae, notably to better take into account situations where the amortization payments owing a pension plan by a company under the protection of the Companies' Creditors Arrangement Act have been suspended.

Further information may be obtained by contacting Mr. Pierre Bégin, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (Tel.: 418 657-8714 extension 3914; fax: 418 659-8983; email: pierre.begin@rrq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send their comments in writing before the expiry of the 45-day period mentioned above to Mr. Denys Jean, President and Chief Executive Officer of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act.

AGNÈS MALTAIS,
*Minister of Employment
and Social Solidarity*

Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, para. 2 and 3)

1. Section 7 of the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act, (c. R-15.1, r. 4) is amended by replacing, in the second paragraph, the description of “C” by the following:

““C” represents the amount by which the greater of the amounts referred to in subparagraphs *i* and *ii* exceeds the employer contributions that would have been determined on the date of the last actuarial valuation if the amount referred to in subparagraph b of paragraph 2 of the first paragraph of section 39 of the Act mentioned in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation:

i. the total of the employer contributions paid since the date of the last actuarial valuation and the amount of any letter of credit provided since that date in relation with the employer contributions pursuant to section 42.1 of the Act referred to in paragraph 3 of section 4;

ii. the employer contributions determined on the date of the last actuarial valuation in accordance with section 21 and section 39 of the Act referred to in paragraph 3 of section 4.”.

2. Section 24 of the Regulation is amended by replacing, in the first paragraph, the description of “C” with the following:

““C” represents the amount by which the greater of the amounts referred to in subparagraphs *i* and *ii* exceeds the employer contributions that would have been determined on the date of the last actuarial valuation if the amount referred to in subparagraph b of paragraph 2 of the first paragraph of section 39 of the Act mentioned in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation:

i. the total of the employer contributions paid since the date of the last actuarial valuation and the amount of any letter of credit provided since that date in relation with the employer contributions pursuant to section 42.1 of the Act referred to in paragraph 3 of section 4;

ii. the employer contributions determined on the date of the last actuarial valuation in accordance with section 21 and section 39 of the Act referred to in paragraph 3 of section 4.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2010.

2331

Notices

Notice

An Act respecting transport infrastructure partnerships
(chapter P-9.001)

P-10942 Bridge of Highway 30 that spans the St. Lawrence River — Fee Schedule

In compliance with section 5 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, Nouvelle Autoroute 30, s.e.n.c. (“A-30 EXPRESS”) publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective as of December 15, 2012 on the P-10942 Bridge of Highway 30 that spans the St. Lawrence River. Any modification to the Fee Schedule will be subjected to a new publication in the *Gazette officielle du Québec*.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
EASTBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
WESTBOUND	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
Class A, rate per axle	\$ 80.00		\$ 80.00		\$ 80.00		\$ 80.00				\$ 80.00				\$ 80.00	
Category B, rate per axle	\$ 0.75		\$ 0.75		\$ 0.75		\$ 0.75				\$ 0.75				\$ 0.75	
Category C, rate per axle	\$ 1.15		\$ 1.15		\$ 1.15		\$ 1.15				\$ 1.15				\$ 1.15	

PHAM: Peak Hour – Morning

OPHD: Off Peak Hour – Daytime

PHPM: Peak Hour – Evening

OPHN: Off Peak Hour – Night

TYPE OF VEHICLE	DESCRIPTION
Class A	Any oversized vehicle within the meaning of section 462 of the Highway Safety Code
Class B	Any road vehicle not covered by Class A and measuring less than 230 cm
Class C	Any road vehicle not covered by Class A and measuring 230 cm or higher

ADMINISTRATIVE FEES				
	DESCRIPTION	CLASS A	CLASS B	CLASS C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING A-30 EXPRESS TRANSPONDER				
•	Administrative fees for a customer account using the manual replenishment method and online statement of account	N/A	\$ 1.60	\$ 1.60
•	Administrative fees for a customer account using the automatic replenishment method and online statement of account	N/A	\$ 1.60	\$ 1.60
•	Administrative fees for a customer account using the manual replenishment method and statement of account by regular mail	N/A	\$ 2.50	\$ 2.50
•	Administrative fees for a customer account using the automatic replenishment method and statement of account by regular mail	N/A	\$ 2.50	\$ 2.50
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING WITH A-30 EXPRESS AND EQUIPPED WITH A WORKING TRANSPONDER COMPATIBLE WITH THE A-30 EXPRESS SYSTEM, BUT WHICH IS NOT AN A-30 EXPRESS TRANSPONDER				
•	Administrative fees for a customer account using the manual replenishment method and online statement of account	N/A	\$ 1.60	\$ 1.60
•	Administrative fees for a customer account using the automatic replenishment method and online statement of account	N/A	\$ 1.60	\$ 1.60
•	Administrative fees for a customer account using the manual replenishment method and statement of account by regular mail	N/A	\$ 2.50	\$ 2.50
•	Administrative fees for a customer account using the automatic replenishment method and statement of account by regular mail	N/A	\$ 2.50	\$ 2.50

Note: Applicable taxes shall be added to the administrative fees listed in this Fee Schedule

ADMINISTRATIVE FEES				
	DESCRIPTION	CLASS A	CLASS B	CLASS C
RECOVERY FEES				
•	Fees to recover the toll rate upon default of payment of the toll rate at the toll plaza when crossing the P-10942 Bridge of Highway 30 in the case where an additional period of 48 hours is granted to make the payment	N/A	\$ 5.00	\$ 5.00
•	Recovery fees per transaction for each payment declined by the financial institution that issued the credit card in the context of the automatic replenishments	N/A	\$ 10.00	\$ 10.00
•	Recovery fees if the User fails to replenish his customer account and the customer account balance becomes negative after payment of the applicable administrative fees	N/A	\$ 5.00	\$ 5.00

INTEREST RATE				
	DESCRIPTION	CLASS A	CLASS B	CLASS C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Annual interest rate of 5% *		

* This monthly interest rate cannot be higher than the daily rate of Canadian bankers' acceptances appearing on the CDOR page of the Reuters system at 10 AM on the date on which the sum bearing interest first becomes payable, plus 4%, in which case the latter rate applies.

DENIS LÉONARD,
General Manager of Nouvelle Autoroute 30, s.e.n.c.

Notice

Notice 2012-04 of the Minister of Transport dated 14 November 2012

Highway Safety Code
(chapter C-24.2)

Ville de Laval — Disallowance

By-law L-11605 to amend By-law L-6070 governing traffic and highway safety on public roads

CONSIDERING that, under the third paragraph of section 626 of the Highway Safety Code (chapter C-24.2), the Minister of Transport may disallow a by-law passed by a municipality under subparagraph 4 of the first paragraph of that section, within 90 days of the date on which it is passed;

NOTICE IS HEREBY GIVEN THAT, in accordance with the powers conferred on the Minister under the third paragraph of section 626 of the Highway Safety Code, the Minister of Transport has disallowed By-law L-11605 to amend By-law L-6070 governing traffic and highway safety on public roads, passed by Ville de Laval on 4 September 2012.

The speed limit of 40 km/h on two rural collector roads, namely boulevard des Mille-Îles and the eastern end of boulevard René-Lévesque Est, would have a negative impact on the safety of users. Furthermore, the By-law provides for a speed limit on autoroute service roads which are under the management of the Minister of Transport.

The decision of the Minister of Transport was communicated to the authorities of Ville de Laval on 14 November 2012.

SYLVAIN GAUDREAU,
Minister of Transport

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

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