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Part

2

No. 12

20 March 2013

Laws and Regulations

Volume 145

Summary

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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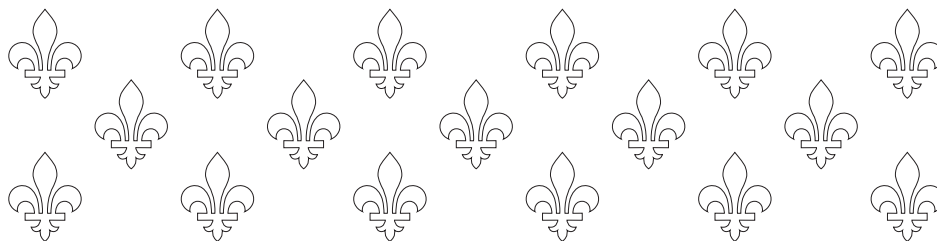
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NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 8
(2012, chapter 30)

An Act to amend various legislative provisions concerning municipal affairs

Introduced 14 November 2012
Passed in principle 29 November 2012
Passed 7 December 2012
Assented to 7 December 2012

Québec Official Publisher
2012

EXPLANATORY NOTES

This Act amends the Cities and Towns Act, the Municipal Code of Québec, the Act respecting the Communauté métropolitaine de Montréal, the Act respecting the Communauté métropolitaine de Québec and the Act respecting public transit authorities to enable the municipalities and bodies governed by those Acts to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment with respect to a previous contract.

The Municipal Code of Québec is amended in order to shorten the time limit for sending a notice of convocation for a special sitting of the council of a regional county municipality.

The Act respecting municipal taxation is amended to increase, for certain municipalities, the coefficient used to set the maximum rates applicable to the category of non-residential immovables and the category of industrial immovables.

Various local, ad hoc and technical measures are introduced.

LEGISLATION AMENDED BY THIS ACT:

- Charter of Ville de Québec (chapter C-11.5);
- Cities and Towns Act (chapter C-19);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- Act respecting municipal taxation (chapter F-2.1);
- Act respecting public transit authorities (chapter S-30.01);
- Act to again amend various legislative provisions concerning municipal affairs (2005, chapter 50);

- Act to amend various legislative provisions respecting municipal affairs (2008, chapter 18).

ORDER IN COUNCIL AMENDED BY THIS ACT:

- Order in Council 1229-2005 (2005, G.O. 2, 5176A) concerning the urban agglomeration of Montréal.

Bill 8

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE QUÉBEC

1. Section 114 of the Charter of Ville de Québec (chapter C-11.5) is amended by inserting “that the city council delegated to it under section 84.1 of Schedule C or” after “related to a power” in the third paragraph.

CITIES AND TOWNS ACT

2. Section 573 of the Cities and Towns Act (chapter C-19) is amended

(1) by inserting the following subsection after subsection 2:

“(2.0.1) A call for public tenders may provide that the municipality reserves the right to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment in the two years before the tender opening date.

For the purposes of the first paragraph, a municipality may only use an unsatisfactory performance assessment if the assessment meets the following conditions:

(1) it relates to the carrying out of a contract awarded by the municipality or by the body responsible for carrying out an agreement to which the municipality is a party and which was entered into under section 29.5, 29.9.1 or 29.10;

(2) it was carried out by the person designated for that purpose by the council of the municipality or by the body;

(3) it is included in a report a copy of which was sent to the contractor or supplier not later than the 60th day after the termination of the contract concerned;

(4) the contractor or supplier was given at least 30 days after receiving a copy of the report referred to in subparagraph 3 to submit comments in writing to the municipality or body; and

(5) after comments submitted under subparagraph 4 have been examined, it is a final assessment, having been approved by the council of the municipality or by the body not later than the 60th day after receipt of those comments or, if no comments were submitted, after the expiry of the period specified in subparagraph 4 for submitting comments. A certified copy of the approved assessment must be sent to the contractor or supplier.

The Minister shall draw up a guide setting out the elements that may be considered in carrying out a performance assessment.

The guide is made available to the public in the manner determined by the Minister.”;

(2) by replacing “may stipulate” in the introductory clause of subsection 2.1 by “may also provide”.

MUNICIPAL CODE OF QUÉBEC

3. Article 156 of the Municipal Code of Québec (chapter C-27.1) is amended by replacing “10” in the first paragraph by “three”.

4. Article 935 of the Code is amended

(1) by inserting the following subarticle after subarticle 2 of the first paragraph:

“(2.0.1) A call for public tenders may provide that the municipality reserves the right to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment in the two years before the tender opening date.

For the purposes of the first paragraph, a municipality may only use an unsatisfactory performance assessment if the assessment meets the following conditions:

(1) it relates to the carrying out of a contract awarded by the municipality or by the body responsible for carrying out an agreement to which the municipality is a party and which was entered into under article 14.3, 14.7.1 or 14.8;

(2) it was carried out by the person designated for that purpose by the council of the municipality or by the body;

(3) it is included in a report a copy of which was sent to the contractor or supplier not later than the 60th day after the termination of the contract concerned;

(4) the contractor or supplier was given at least 30 days after receiving a copy of the report referred to in subparagraph 3 to submit comments in writing to the municipality or body; and

(5) after any comments submitted under subparagraph 4 have been examined, it is a final assessment, having been approved by the council of the municipality or by the body not later than the 60th day after receipt of those comments or, if no comments were submitted, after the expiry of the period specified in subparagraph 4 for submitting comments. A certified copy of the approved assessment must be sent to the contractor or supplier.

The Minister shall draw up a guide setting out the elements that may be considered in carrying out a performance assessment.

The guide is made available to the public in the manner determined by the Minister.”;

(2) by replacing “may stipulate” in the introductory clause of subarticle 2.1 of the first paragraph by “may also provide”;

(3) by striking out the second paragraph.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

5. Section 107 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by replacing “sixth, seventh and eighth” in the second paragraph by “eighth, ninth and tenth”.

6. Section 108 of the Act is amended

(1) by inserting the following paragraphs after the fourth paragraph:

“A call for public tenders may provide that the Community reserves the right to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment in the two years before the tender opening date.

For the purposes of the fifth paragraph, the Community may only use an unsatisfactory performance assessment if the assessment meets the following conditions:

(1) it relates to the carrying out of a contract awarded by the Community;

(2) it was carried out by the person designated for that purpose by the council;

(3) it is included in a report a copy of which was sent to the contractor or supplier not later than the 60th day after the termination of the contract concerned;

(4) the contractor or supplier was given at least 30 days after receiving a copy of the report referred to in subparagraph 3 to submit comments in writing to the Community; and

(5) after any comments submitted under subparagraph 4 have been examined, it is a final assessment, having been approved by the council of the Community not later than the 60th day after receipt of those comments or, if no comments were submitted, after the expiry of the period specified in subparagraph 4 for submitting comments. A certified copy of the approved assessment must be sent to the contractor or supplier.”;

(2) by replacing “may stipulate” in the introductory clause of the fifth paragraph by “may also provide”.

7. The Act is amended by inserting the following section after section 108:

“108.1. The Minister shall draw up a guide setting out the elements that may be considered in carrying out a performance assessment referred to in the sixth paragraph of section 108.

The guide is made available to the public in the manner determined by the Minister.”

8. Section 109 of the Act is amended by replacing “eighth” in the fourth paragraph by “tenth”.

9. Section 109.1 of the Act is amended

(1) by replacing “seventh” in subparagraph *d* of subparagraph 3 of the first paragraph by “ninth”;

(2) by replacing “eighth” in the fourth paragraph by “tenth”.

10. Section 110 of the Act is amended by replacing “fifth” in the second paragraph by “seventh”.

11. Section 112 of the Act is amended by replacing “fifth and eighth” by “seventh and tenth”.

12. Section 112.1 of the Act is amended by replacing “eighth” in the second paragraph by “tenth”.

13. Section 118.2 of the Act is amended by replacing “sixth” in the first paragraph by “eighth”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE
QUÉBEC

14. Section 100 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by replacing “sixth, seventh and eighth” in the second paragraph by “eighth, ninth and tenth”.

15. Section 101 of the Act is amended

(1) by inserting the following paragraphs after the fourth paragraph:

“A call for public tenders may provide that the Community reserves the right to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment in the two years before the tender opening date.

For the purposes of the fifth paragraph, the Community may only use an unsatisfactory performance assessment if the assessment meets the following conditions:

(1) it relates to the carrying out of a contract awarded by the Community;

(2) it was carried out by the person designated for that purpose by the council;

(3) it is included in a report a copy of which was sent to the contractor or supplier not later than the 60th day after the termination of the contract concerned;

(4) the contractor or supplier was given at least 30 days after receiving a copy of the report referred to in subparagraph 3 to submit comments in writing to the Community; and

(5) after any comments submitted under subparagraph 4 have been examined, it is a final assessment, having been approved by the council of the Community not later than the 60th day after receipt of those comments or, if no comments were submitted, after the expiry of the period specified in subparagraph 4 for submitting comments. A certified copy of the approved assessment must be sent to the contractor or supplier.”;

(2) by replacing “may stipulate” in the introductory clause of the fifth paragraph by “may also provide”.

16. The Act is amended by inserting the following section after section 101:

“**101.1.** The Minister shall draw up a guide setting out the elements that may be considered in carrying out a performance assessment referred to in the sixth paragraph of section 101.

The guide is made available to the public in the manner determined by the Minister.”

17. Section 102 of the Act is amended by replacing “eighth” in the fourth paragraph by “tenth”.

18. Section 102.1 of the Act is amended

(1) by replacing “seventh” in subparagraph *d* of subparagraph 3 of the first paragraph by “ninth”;

(2) by replacing “eighth” in the fourth paragraph by “tenth”.

19. Section 103 of the Act is amended by replacing “fifth” in the second paragraph by “seventh”.

20. Section 105 of the Act is amended by replacing “fifth and eighth” by “seventh and tenth”.

21. Section 105.1 of the Act is amended by replacing “eighth” in the second paragraph by “tenth”.

22. Section 111.2 of the Act is amended by replacing “sixth” in the first paragraph by “eighth”.

ACT RESPECTING MUNICIPAL TAXATION

23. Section 244.40 of the Act respecting municipal taxation (chapter F-2.1) is amended

(1) by replacing “2.35” in the first paragraph by “2.65”;

(2) by replacing “3.15” in subparagraphs 2 to 5 of the second paragraph by “3.55”;

(3) by replacing “2.65” in subparagraphs 6 to 9 of the second paragraph by “3.05”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

24. Section 94 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing “sixth, seventh and eighth” in the second paragraph by “eighth, ninth and tenth”.

25. Section 95 of the Act is amended

(1) by inserting the following paragraphs after the fourth paragraph:

“A call for public tenders may provide that the transit authority reserves the right to reject any tender from a contractor or supplier having received an unsatisfactory performance assessment in the two years before the tender opening date.

For the purposes of the fifth paragraph, the transit authority may only use an unsatisfactory performance assessment if the assessment meets the following conditions:

- (1) it relates to the carrying out of a contract awarded by the transit authority;
- (2) it was carried out by the person designated for that purpose by the board of directors;
- (3) it is included in a report a copy of which was sent to the contractor or supplier not later than the 60th day after the termination of the contract concerned;
- (4) the contractor or supplier was given at least 30 days after receiving a copy of the report referred to in subparagraph 3 to submit comments in writing to the transit authority; and
- (5) after any comments submitted under subparagraph 4 have been examined, it is a final assessment, having been approved by the board of directors of the transit authority not later than the 60th day after receipt of those comments or, if no comments were submitted, after the expiry of the period specified in subparagraph 4 for submitting comments. A certified copy of the approved assessment must be sent to the contractor or supplier.”;

(2) by replacing “may stipulate” in the introductory clause of the fifth paragraph by “may also provide”.

26. The Act is amended by inserting the following section after section 95:

“95.1. The Minister of Municipal Affairs, Regions and Land Occupancy shall draw up a guide setting out the elements that may be considered in carrying out a performance assessment referred to in the sixth paragraph of section 95.

The guide is made available to the public in the manner determined by the Minister.”

27. Section 96 of the Act is amended by replacing “eighth” in the fourth paragraph by “tenth”.

28. Section 96.1 of the Act is amended

(1) by replacing “seventh” in subparagraph *d* of subparagraph 3 of the first paragraph by “ninth”;

(2) by replacing “eighth” in the fourth paragraph by “tenth”.

29. Section 97 of the Act is amended by replacing “fifth” in the second paragraph by “seventh”.

30. Section 99 of the Act is amended by replacing “fifth and eighth” by “seventh and tenth”.

31. Section 100 of the Act is amended by replacing “eighth” in the second paragraph by “tenth”.

32. Section 108.2 of the Act is amended by replacing “sixth” in the first paragraph by “eighth”.

ACT TO AGAIN AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

33. Section 133 of the Act to again amend various legislative provisions concerning municipal affairs (2005, chapter 50), amended by section 37 of chapter 19 of the statutes of 2008, section 102 of chapter 18 of the statutes of 2010 and section 27 of chapter 33 of the statutes of 2011, is again amended by replacing “2012” in the second paragraph by “2013”.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MUNICIPAL AFFAIRS

34. Section 135 of the Act to amend various legislative provisions respecting municipal affairs (2008, chapter 18) is amended by replacing “two” in the first paragraph by “three”.

OTHER AMENDING PROVISIONS

35. Section 67 of Order in Council 1229-2005 (2005, G.O. 2, 5176A) concerning the urban agglomeration of Montréal, amended by section 130 of chapter 60 of the statutes of 2006, section 33 of chapter 19 of the statutes of 2008, section 111 of chapter 18 of the statutes of 2010 and section 28 of chapter 33 of the statutes of 2011, is again amended by replacing “2012” in the second paragraph by “2013”.

36. Section 68 of the Order in Council, replaced by section 34 of chapter 19 of the statutes of 2008 and amended by section 112 of chapter 18 of the statutes of 2010 and section 29 of chapter 33 of the statutes of 2011, is again amended by replacing “2012” in the fifth paragraph by “2013”.

MISCELLANEOUS PROVISIONS

37. The property assessment rolls of Municipalité de Béarn, Municipalité de Duhamel-Ouest, Municipalité de Laverlochère, Municipalité de Lorrainville, Municipalité de Saint-Bruno-de-Guigues, Municipalité de Saint-Eugène-de-Guigues, Paroisse de Saint-Édouard-de-Fabre and Ville de Ville-Marie, in force from 1 January 2013, will remain in force until the end of the fiscal year 2013. The fiscal year 2013 is considered to be the third year of application of those rolls.

The rolls referred to in the first paragraph are deemed to have been drawn up for the fiscal years 2011, 2012 and 2013 for the purpose of determining the three consecutive fiscal years for which the subsequent rolls must be drawn up under section 14 of the Act respecting municipal taxation (chapter F-2.1).

38. The property assessment rolls of Cantons-Unis de Latulipe-et-Gaboury, Municipalité de Fugèreville, Municipalité de Laforce, Municipalité de Moffet and Ville de Belleterre, in force from 1 January 2013, will remain in force until the end of the fiscal year 2014. The fiscal year 2014 is considered to be the third year of application of those rolls.

The rolls referred to in the first paragraph are deemed to have been drawn up for the fiscal years 2012, 2013 and 2014 for the purpose of determining the three consecutive fiscal years for which the subsequent rolls must be drawn up under section 14 of the Act respecting municipal taxation.

39. The property assessment roll of Ville de Plessisville, in force from 1 January 2013, will remain in force until the end of the fiscal year 2014. The fiscal year 2014 is considered to be the third year of application of that roll.

The roll referred to in the first paragraph is deemed to have been drawn up for the fiscal years 2012, 2013 and 2014 for the purpose of determining the three consecutive fiscal years for which the subsequent roll must be drawn up under section 14 of the Act respecting municipal taxation.

40. The property assessment roll of Canton de Hemmingford, in force from 1 January 2011, will remain in force until the end of the fiscal year 2014. The fiscal year 2014 is considered to be the third year of application of that roll.

The roll referred to in the first paragraph is deemed to have been drawn up for the fiscal years 2012, 2013 and 2014 for the purpose of determining the three consecutive fiscal years for which the subsequent roll must be drawn up under section 14 of the Act respecting municipal taxation.

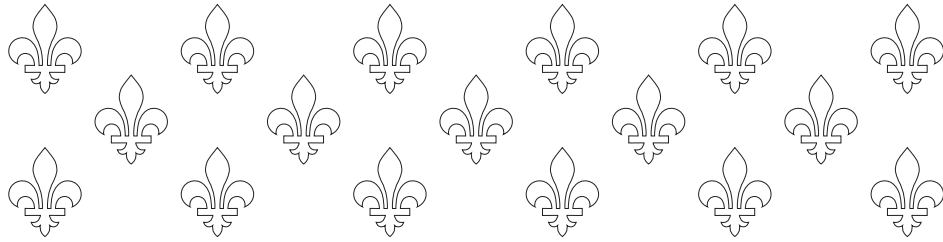
41. The property assessment rolls of Municipalité de Saint-Édouard, Municipalité de Saint-Patrice-de-Sherrington, Paroisse de Saint-Bernard-de-Lacolle and Village de Hemmingford, in force from 1 January 2013, will remain in force until the end of the fiscal year 2016. The fiscal year 2016 is considered to be the third year of application of those rolls.

The rolls referred to in the first paragraph are deemed to have been drawn up for the fiscal years 2014, 2015 and 2016 for the purpose of determining the three consecutive fiscal years for which the subsequent rolls must be drawn up under section 14 of the Act respecting municipal taxation.

42. The division of the territory of Municipalité des Îles-de-la-Madeleine into electoral districts for the purposes of the 2013 general election and any by-election held before the 2017 general election is the division that applied for the purposes of the 2009 general election.

FINAL PROVISION

43. This Act comes into force on 7 December 2012, except section 23, which comes into force on 1 January 2013, and sections 2, 4 to 22 and 24 to 32, which come into force on the date to be set by the Government.



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 9
(2012, chapter 31)

An Act to establish the Health and Social Services Information Resources Fund

Introduced 15 November 2012
Passed in principle 29 November 2012
Passed 7 December 2012
Assented to 7 December 2012

**Québec Official Publisher
2012**

EXPLANATORY NOTES

This Act establishes the Health and Social Services Information Resources Fund. The Fund is dedicated to financing the department's activities relating to the information resource services it may provide to health and social services agencies, to health or social services institutions, and to other bodies and persons in the health and social services network.

Certain of the Minister's powers concerning the information resource services the Minister may provide are specified.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2);
- Act to dissolve the Société de gestion informatique SOGIQUE (2012, chapter 9).

Bill 9

AN ACT TO ESTABLISH THE HEALTH AND SOCIAL SERVICES INFORMATION RESOURCES FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX

1. The Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by inserting the following sections after section 11.7:

“11.7.1. The Health and Social Services Information Resources Fund is established. The Fund is dedicated to financing the department’s activities relating to installation, maintenance and repair services for any technological medium used by a health and social services agency, by a health or social services institution, or by another body or person in the health and social services network, support services for users of those technological media, information resource management services, and information asset design, production and supply services for the providers.

“11.7.2. The following are credited to the Fund:

(1) the sums collected to carry out the department’s activities referred to in section 11.7.1;

(2) the sums transferred to the Fund by the Minister out of the appropriations granted for that purpose by Parliament;

(3) the sums transferred to the Fund by the Minister of Finance under section 53 or 54 of the Financial Administration Act (chapter A-6.001);

(4) the gifts and legacies expressly intended for the Fund, and other contributions paid into the Fund to further the achievement of its objects; and

(5) the interest earned on bank balances in proportion to the sums referred to in paragraphs 1 and 4.

“11.7.3. Sums may be debited from the Fund to pay any costs relating to an investment and any expenditure required to carry out the department’s activities referred to in section 11.7.1.”

ACT TO DISSOLVE THE SOCIÉTÉ DE GESTION INFORMATIQUE SOGIQUE

2. Section 6 of the Act to dissolve the Société de gestion informatique SOGIQUE (2012, chapter 9) is replaced by the following section:

“6. Section 520.3.1 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following paragraph at the end:

“The Minister may offer the same services as those referred to in the first paragraph to an agency, to an institution, or to another body or person in the health and social services network. In addition, the Minister may offer information asset design, production and supply services to such an agency, institution, body or person. The second and third paragraphs then apply, with the necessary modifications.”

TRANSITIONAL AND FINAL PROVISIONS

3. Despite the second paragraph of section 1 of the Act to dissolve the Société de gestion informatique SOGIQUE (2012, chapter 9), the rights and obligations of the Société de gestion informatique SOGIQUE toward a financial institution are transferred to the Minister of Finance at the time the company is dissolved.

The transfer of the obligations to the Minister of Finance is considered to be an advance in the amount of those obligations to the Health and Social Services Information Resources Fund under section 54 of the Financial Administration Act (chapter A-6.001).

4. The debts of the Société de gestion informatique SOGIQUE that become debts of the Minister of Finance are debts referred to in section 10 of the Financial Administration Act.

5. The assets and liabilities of the Société de gestion informatique SOGIQUE, which are transferred to the Minister of Health and Social Services, become assets and liabilities of the Health and Social Services Information Resources Fund.

6. The expenditure and investment estimates for the Health and Social Services Information Resources Fund set out in Schedule I are approved for the 2012-2013 and 2013-2014 fiscal years.

7. This Act comes into force on the date to be set by the Government.

SCHEDULE I
(Section 6)

HEALTH AND SOCIAL SERVICES INFORMATION RESOURCES
FUND

EXPENDITURE AND INVESTMENT ESTIMATES

	2012-2013	2013-2014
Revenues	\$15,691,000	\$54,870,000
Expenditures	\$15,691,000	\$54,870,000
Surplus (Deficit) of the Fiscal Year	\$0	\$0
Ending Cumulative Surplus (Deficit)	\$6,194,660	\$6,194,660
Investments	\$148,272	\$2,550,000
Balance of Loans or Advances to (from) the Financing Fund and the General Fund	\$806,117	\$548,340
Total Loans or Advances	\$806,117	\$548,340

Regulations and other Acts

Gouvernement du Québec

O.C. 162-2013, 7 March 2013

Professional Code
(chapter C-26)

Chiropractor

—Practice of the profession of chiropractor within a partnership or a joint-stock company

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

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

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

WHEREAS the board of directors of the Ordre des chiropraticiens du Québec made the Regulation respecting the practice of the profession of chiropractor within a partnership or a joint-stock company;

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

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

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

WHEREAS the first regulation made by the board of directors of a professional order under paragraph *p* of section 94 of the Code must be submitted to the Government for approval;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the practice of the profession of chiropractor within a partnership or a joint-stock company was published in Part 2 of the *Gazette officielle du Québec* of 19 September 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office approved, with amendments, sections 4 to 6 of Chapter II related to the declaration and all of Chapter III, including sections 10 to 12 concerning professional liability coverage;

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

WHEREAS it is expedient to approve Chapter I, sections 2, 3 and 7 to 9 of Chapter II and Chapters IV and V of the Regulation with amendments;

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

THAT Chapter I, sections 2, 3 and 7 to 10 of Chapter II and Chapters IV and V of the Regulation respecting the practice of the profession of chiropractor within a partnership or a joint-stock company, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Professional Code
(chapter C-26, s. 93, pars. *g* and *h*, and s. 94, par. *p*)

CHAPTER I GENERAL

1. Chiropractors are authorized, subject to the conditions set out in this Regulation, to carry on professional activities within a joint-stock company or a limited liability partnership within the meaning of Chapter VI.3 of the Professional Code (chapter C-26).

Chiropractors must ensure that the company or partnership makes it possible for them to comply at all times with the requirements of the Professional Code, those of the Chiropractic Act (chapter C-16) and their regulations.

CHAPTER II TERMS AND CONDITIONS OF PRACTICE

2. Chiropractors are authorized to carry on professional activities within a limited liability partnership or joint-stock company if

(1) more than 50% of the voting rights attached to the shares or units of the partnership or joint-stock company are held

(a) by at least one chiropractor;

(b) by a legal person or trust whose voting rights attached to the shares or units are held exclusively by one or more chiropractors; or

(c) by a combination of persons referred to in subparagraphs *a* and *b*;

(2) a majority of the directors of the joint-stock company, or the partners or, where applicable, the managers appointed by the partners to manage the affairs of the limited liability partnership, are chiropractors; and

(3) the board of directors of the joint-stock company or, as the case may be, the internal management board of the partnership is comprised of a majority of chiropractors, who constitute the majority of the quorum of such boards at all times.

Chiropractors must ensure that the conditions listed in the first paragraph appear in the articles of the joint-stock company or in the contract of the limited liability

partnership and that the documents provide that the partnership or joint-stock company is constituted for the purpose of carrying on professional activities.

3. Chiropractors who wish to carry on professional activities within a partnership or joint-stock company must, beforehand, send the following documents to the secretary of the Order:

(1) a written document from a competent authority certifying that the partnership or joint-stock company is covered by security complying with Chapter III of this Regulation;

(2) if the chiropractor intends to carry on professional activities within a joint-stock company, a written document issued by a competent authority certifying the existence of the joint-stock company;

(3) if applicable, a certified true copy of the declaration made by the competent authority, stating that the general partnership was continued as a limited liability partnership;

(4) a written document certifying that the partnership or joint-stock company is duly registered in Québec;

(5) a written document certifying that the partnership or joint-stock company has an establishment in Québec; and

(6) an irrevocable written authorization from the partnership or joint-stock company allowing a person, committee, disciplinary body or tribunal referred to in section 192 of the Professional Code to require disclosure of a document listed in section 14 from a person or a copy of such a document.

4. Chiropractors must also send to the secretary of the Order, using the form provided by the Order, a sworn declaration containing

(1) the partnership or joint-stock company name and any other names used in Québec by the partnership or joint-stock company within which the chiropractor intends to carry on professional activities and the business number assigned to it by the competent authority;

(2) the legal form of the partnership or joint-stock company;

(3) the chiropractor's name, member number and status within the partnership or joint-stock company;

(4) if the chiropractor intends to carry on professional activities within a joint-stock company, the address of the head office and the address of its establishments in Québec, and the names and home addresses of the directors and officers of the joint-stock company;

(5) if the chiropractor intends to carry on professional activities within a limited liability partnership, the address of the establishments of the partnership in Québec, specifying the address of the principal establishment, the names and home addresses of all the partners domiciled in Québec and, where applicable, the names and home addresses of the managers appointed to manage the affairs of the partnership, whether or not they are domiciled in Québec;

(6) a written document certifying that the shares or units held and the rules of administration of the partnership or joint-stock company comply with the conditions set out in this Regulation;

(7) the names of the holders of shares or units referred to in subparagraph 1 of the first paragraph of section 2 with the percentage of voting rights held by each shareholder; and

(8) in the case of holders of shares or units referred to in subparagraph *b* of subparagraph 1 of the first paragraph of section 2, a document certifying that the conditions of that subparagraph are complied with.

Chiropractors must, together with their declaration, pay the fees prescribed by the board of directors of the Order.

5. If two or more chiropractors carry on professional activities within the same partnership or joint-stock company, a representative must be designated to act in their place and stead for the purposes of the conditions set out in sections 3 and 10.

The representative must be a chiropractor who is either a partner, or a director or shareholder with voting rights of the partnership or joint-stock company.

The representative is also appointed to reply to requests made by the syndic, an inspector, an investigator or any other representative of the Order and to submit, where applicable, the documents that the chiropractors are required to submit.

Except for the information referred to in paragraph 3 of section 4, the representative must ensure the accuracy of the information given in the declaration.

6. Not later than 31 March of each year, the declaration referred to in section 4 must be updated and sent to the Order along with payment of the fees prescribed by the board of directors of the Order.

7. Chiropractors must immediately inform the Order of any change in the security provided for in Chapter III or in the information given under section 3 that might compromise compliance with the conditions set out in this Regulation.

8. A chiropractor who is struck off the roll for a period in excess of three months may not, during the period of the striking off, directly or indirectly hold any units in a partnership or shares in a joint-stock company or hold the position of director, officer or representative of a partnership or joint-stock company.

9. Chiropractors must immediately inform the Order of the cancellation of the insurance coverage referred to in Chapter III, the striking off the roll, dissolution, assignment of property, bankruptcy, voluntary or forced liquidation of the partnership or joint-stock company or any other cause likely to prevent the partnership or joint-stock company from carrying on its activities. Chiropractors must also inform the Order of any change in the information provided in the declaration that is contrary to the conditions set out in section 2.

CHAPTER III PROFESSIONAL LIABILITY COVERAGE

10. To be authorized to carry on their professional activities within a partnership or joint-stock company in accordance with this Regulation, chiropractors must furnish and maintain security on behalf of the partnership or joint-stock company by means of an insurance or suretyship contract or by joining a group insurance contract entered into by the Order, or by contributing to a professional liability insurance fund established in accordance with section 86.1 of the Professional Code, against the liability of the partnership or joint-stock company arising from fault on the part of the chiropractors in the practice of the profession within the partnership or joint-stock company.

11. The security must include the following minimum conditions:

(1) an undertaking by the insurer or surety to pay in lieu of the partnership or joint-stock company, over and above the minimum amount of the security to be furnished by the chiropractor pursuant to the Regulation respecting professional liability insurance of the Ordre des chiropraticiens du Québec (chapter C-16, r. 3), up to the amount of the security, any sum that the partnership or joint-stock company may be legally bound to pay to an injured third person on a claim filed during the coverage period and arising from fault on the part of a chiropractor in the practice of the profession within the partnership or joint-stock company;

(2) an undertaking by the insurer or surety to take up the cause of the partnership or joint-stock company and to defend it in any action against it and to pay, in addition to the amounts covered by the security, all costs and expenses of actions against the partnership or joint-stock company, including the costs and expenses of the investigation and defence and interest on the amount of the security;

(3) an undertaking that the security extends to all claims submitted in the 5 years following the coverage period during which a chiropractor of the partnership or joint-stock company dies, withdraws from the partnership or joint-stock company or ceases to be on the roll of the Order, in order to maintain coverage for the partnership or joint-stock company for fault on the part of the chiropractor while carrying on professional activities within the partnership or joint-stock company;

(4) an amount of at least \$1,000,000 per claim and \$3,000,000 for all claims filed against the partnership or joint-stock company during a 12-month coverage period; and

(5) an undertaking by the insurer or surety to provide the secretary of the Order with a 30-day notice of intent to cancel the security, to amend a condition of this section or not to renew the security.

12. The suretyship contract must be entered into with a bank, savings and credit union, trust or insurance company domiciled in Canada. The surety must also maintain sufficient property in Québec to honour the coverage provided for in this Chapter.

The surety must undertake to provide coverage in accordance with the conditions of this Chapter and to pay the amount due on behalf of the partnership or joint-stock company by waiving the benefit of division and discussion, up to the amount of the suretyship coverage.

CHAPTER IV ADDITIONAL INFORMATION

13. Where a general partnership is continued as a limited liability partnership or where a limited liability partnership or a joint-stock company is constituted, chiropractors who carry on professional activities within the partnership or joint-stock company must, within 15 days after the date of the constitution or continuation, send a notice to their clients whose records are active, informing them of the nature and effects of the continuation or constitution of the partnership or joint-stock company, in particular with respect to the chiropractor's professional liability and that of the partnership or joint-stock company.

The notice may be sent directly to the clients or published in a newspaper circulated in the location where the partnership or joint-stock company carries on its activities.

14. The documents that may be required pursuant to paragraph 6 of section 3 are the following:

(1) if the chiropractor practises within a joint-stock company,

(a) a complete and up-to-date register of the articles and by-laws of the joint-stock company;

(b) a complete and up-to-date register of the shares of the joint-stock company;

(c) a complete and up-to-date register of the directors of the joint-stock company;

(d) any unanimous shareholders' agreement and any voting agreement and amendments;

(e) any agreement concerning a stock option with voting rights or concerning any other right, even if conditional, granted to a person to be issued such stocks;

(f) the declaration of registration of the joint-stock company and any update; and

(g) the names and home addresses of the company's principal officers;

(2) if the chiropractor practises within a limited liability partnership,

(a) the declaration of registration of the partnership and any update;

(b) the partnership contract and amendments;

(c) a complete and up-to-date register of the partners;

(d) where applicable, a complete and up-to-date register of the managers; and

(e) the names and home addresses of the partnership's principal officers.

CHAPTER V TRANSITIONAL AND FINAL

15. Chiropractors who carry on professional activities within a joint-stock company constituted before the date of coming into force of this Regulation must comply with this Regulation at the latest within 1 year after that date.

16. 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. 163-2013, 7 March 2013

Professional Code
(chapter C-26)

Chiropractors — Code of ethics of chiropractors

Code of ethics of chiropractors

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

WHEREAS the board of directors of the Ordre des chiropraticiens du Québec made the Code of ethics of chiropractors;

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

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Code of ethics of chiropractors was published in Part 2 of the *Gazette officielle du Québec* of 19 September 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Code of ethics of chiropractors, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Code of ethics of chiropractors

Professional Code
(chapter C-26, s. 87)

CHAPTER I GENERAL

1. This Code determines, pursuant to section 87 of the Professional Code (chapter C-26), the duties of every member of the Ordre des chiropraticiens du Québec towards the public, patients and the profession.

2. Chiropractors must take reasonable measures to ensure that each person, employee, shareholder or partner who collaborates with them in the practice of the profession complies with the Chiropractic Act (chapter C-16), the Professional Code and their regulations.

Chiropractors who practise their profession within a partnership within the meaning of the Civil Code of Québec or a partnership or joint-stock company referred to in Chapter VI.3 of the Professional Code and are partners, shareholders, directors or officers must take reasonable measures to ensure that the partnership or joint-stock company complies with the Chiropractic Act, the Professional Code and their regulations.

3. Chiropractors may not allow other persons to perform acts on their behalf which, if performed by chiropractors, would be in contravention of the Chiropractic Act, the Professional Code or their regulations.

4. A chiropractor's duties and obligations under the Chiropractic Act, the Professional Code and their regulations are in no way changed or reduced by the fact that the chiropractor practises the profession within a partnership or joint-stock company.

5. Chiropractors must ensure that their obligations towards the partnership or company within which they practise as director or officer are not incompatible with their obligations towards their patient.

CHAPTER II
DUTIES AND OBLIGATIONS TOWARDS
THE PUBLIC

DIVISION I
GENERAL

6. Chiropractors must, as far as possible, support every measure likely to improve the quality and availability of professional services in the field in which they practise.

7. In the practice of their profession, chiropractors must take into account all the foreseeable consequences which their research and work may have on the public.

8. Chiropractors must promote measures of education and information in the field in which they practise and, as far as possible, take an active part to ensure such education and information.

DIVISION II
RESTRICTIONS AND OBLIGATIONS RELATING
TO ADVERTISING

9. Chiropractors may not engage, by any means whatsoever, in advertising that is false, misleading, incomplete or liable to mislead.

10. Chiropractors must avoid all advertising likely to tarnish the image of the profession or to impart to it a profit-seeking or mercantile character.

11. Chiropractors may not engage, by any means whatsoever, in advertising that compares the quality of their services to that of services rendered by another chiropractor or by any other person or health professional.

12. Chiropractors may not engage, by any means whatsoever, in advertising that is likely to unduly influence persons who may be physically or emotionally vulnerable because of their age, their state of health or their personal condition.

13. Chiropractors may not claim to possess specific qualities or skills unless they can substantiate such claim.

14. Chiropractors who address the public may not

(1) send information not based on principles recognized by chiropractic science;

(2) express opinions that are not generally acknowledged by chiropractic science; or

(3) engage in unsuitable advertising in favour of a method of examination or treatment.

15. For every advertisement they broadcast or publish, chiropractors must ensure that the public is clearly aware that it is an advertisement.

16. Chiropractors advertising a price, a rebate, a discount or free products or services must

(1) establish fixed amounts, if applicable;

(2) specify the nature and extent of the services included in the price, rebate, discount or free products or services;

(3) indicate if additional services likely to be required are not included and, if such is the case, indicate their price;

(4) give more importance to the services than to the price, rebate, discount or free products or services; and

(5) keep the price, rebate, discount or free products or services in effect for a minimum period of 90 days after the advertisement was last broadcast or published.

Despite the foregoing, nothing prevents chiropractors from agreeing with a patient on a price lower than the one published or broadcast.

17. Chiropractors must avoid all false advertising regarding

(1) a price reduction;

(2) a regular price or any other reference price for services; or

(3) the advantageous price of certain services.

18. Chiropractors must ensure that the persons collaborating with them in the practice of their profession, in any capacity whatsoever, comply with the rules respecting advertising.

19. All chiropractors who are partners or collaborate in the practice of their profession are jointly responsible for complying with the rules respecting advertising, unless one of the chiropractors demonstrates that the advertising was done without his or her knowledge and consent and in spite of the measures taken to ensure compliance with those rules.

20. Chiropractors who use the graphic symbol of the Order in their advertising must ensure that it is identical to the original kept by the secretary of the Order.

CHAPTER III DUTIES AND OBLIGATIONS TOWARDS THE PATIENT

DIVISION I GENERAL

21. In the practice of their profession, chiropractors must show respect for the life, dignity and freedom of their patient.

22. Chiropractors must practise their profession in accordance with the principles recognized by chiropractic science.

23. Before accepting a mandate, chiropractors must take into consideration the limits of their abilities, knowledge and the means at their disposal. They must not, in particular, undertake treatment for which they are not sufficiently prepared without obtaining the necessary assistance.

24. Chiropractors must at all times acknowledge the right of the patient to consult another chiropractor, a member of another professional order or any other competent person.

25. Chiropractors must refrain from practising under conditions, in states, places or circumstances likely to impair the quality of their services.

26. Screening examinations must take place in places that allow for their proper execution such as chiropractors' offices, schools, sports facilities and the workplace, excluding public halls.

Screening examinations must take place so as to respect the patient's confidentiality and privacy.

27. A screening campaign examination must be capable of determining the need for further chiropractic examinations or treatments and include a questionnaire.

28. Chiropractors must seek to establish a relationship of mutual trust with their patient. For that purpose, they must, in particular

(1) practise their profession in a personalized manner; and

(2) conduct interviews with respect for their patient's values and personal convictions.

29. Chiropractors must refrain from intervening in the personal affairs of their patient on subjects which are not under the generally acknowledged competence of the profession.

30. Subject to respecting professional secrecy, chiropractors must collaborate with their patient or the patient's relatives or with any other person in the interest of that patient.

31. Before carrying out a chiropractic treatment, chiropractors must perform examinations on their patient including, in particular, the following items:

(1) the appropriate history of the case;

(2) the clinical and radiological examinations required by the patient's condition;

(3) sufficient research of any subjacent pathology and anomaly by the diagnostic methods indicated and in compliance with standards of chiropractic science; and

(4) an unequivocal indication of an appropriate chiropractic therapy.

32. Chiropractors must refrain from using diagnostic means whose scientific value is not recognized according to the standards of chiropractic science.

33. Chiropractors must refrain from providing care to their patient which is not required under the standards of chiropractic science.

34. Chiropractors must provide their patient with the best possible care that is indicated in accordance with the standards of chiropractic science.

35. Chiropractors must have a conduct beyond reproach towards every person and must, in particular, act with respect, courtesy, moderation and integrity.

36. Chiropractors must refrain from consulting, collaborating or agreeing with a person who does not have the competence or appropriate scientific knowledge in the field in which they practise.

37. Chiropractors must refrain from repeatedly or insistently inciting a person, whether personally or through a natural or legal person, a partnership or joint-stock company, a group or association, to have recourse to their professional services.

38. Chiropractors must refrain from guaranteeing their patient, expressly or implicitly, the curing of an illness or the effectiveness of a chiropractic treatment. They must provide them with an estimate of the duration of the treatment or the number of visits that the patient's condition requires.

39. Chiropractors must refrain from giving or causing to be given to a patient an unjustifiable material benefit, in particular by falsifying a declaration, report or any document respecting the health of a patient or the chiropractic care administered to the latter.

DIVISION II **INTEGRITY**

40. Chiropractors must carry out their professional duties with integrity.

41. Chiropractors must avoid any misrepresentation with respect to their level of competence, to the efficiency of their services or of those generally provided by the members of their profession or, if applicable, to the level of competence and the efficiency of the services of the persons who carry on their professional activities within the same partnership or joint-stock company as them.

42. If the interest of the patient so requires, chiropractors must, with the patient's consent, consult another chiropractor, a member of another professional order or any other competent person or refer the patient to one of those persons.

43. Prior to the examination or treatment proposed, chiropractors must obtain from the patient a written, free and enlightened consent after having informed the patient of the nature of the problem to be treated, the treatment procedure and the potential benefits and risks.

Chiropractors must also inform their patient that their consent may be revoked at any time and that any material change in the treatment plan agreed to requires a separate consent.

44. Chiropractors must refrain from giving opinions or advice that is contradictory or incomplete. To that end, they must try to know all the facts before giving an opinion or advice.

45. Chiropractors must inform their patient as soon as possible of any incident, accident or complication likely to have or that has had a significant impact on the patient's health or physical integrity.

DIVISION III **AVAILABILITY AND DILIGENCE**

46. In the practice of their profession, chiropractors must display reasonable availability and diligence.

47. In addition to opinions and advice, chiropractors must provide their patient with all explanations necessary to the understanding and appreciation of the services provided to the patient.

48. Chiropractors must be objective and impartial when persons ask them for information.

49. Unless they have just and reasonable grounds for doing so, chiropractors may not terminate the services they provide to a patient. The following, in particular, constitute just and reasonable grounds:

(1) loss of the patient's trust;

(2) being in a situation of conflict of interest or in any situation in which their professional independence might be called into question; and

(3) inducement by the patient to perform acts that the chiropractor knows to be illegal, unfair or fraudulent.

50. Before terminating their services, chiropractors must notify the patient within a reasonable time and take the necessary measures to prevent prejudice to the patient.

DIVISION IV **LIABILITY**

51. Chiropractors may not, in the practice of their profession, evade their personal civil liability by inserting in a contract of professional services any clause directly or indirectly excluding, in whole or in part, their civil liability, that of the partnership or joint-stock company within which they carry on their professional activities, or that of any person carrying on his or her professional activities within that same partnership or joint-stock company.

DIVISION V **INDEPENDENCE AND IMPARTIALITY**

52. Chiropractors must safeguard their professional independence and ignore any intervention by a third person which could influence the performance of their professional duties to the detriment of their patient.

53. Chiropractors must, at all times and under any circumstances, subordinate their personal interest to that of their patient. Without restricting the generality of the foregoing, chiropractors are in conflict of interest when the interests concerned are such that they may be influenced to favour certain of them instead of those of their patient or their judgment and loyalty towards the latter may be unfavourably affected.

In all cases in which chiropractors carry on professional activities within a partnership or joint-stock company, situations of conflict of interest are assessed with regard to all patients or clients of persons with whom chiropractors carry on professional activities within the partnership or joint-stock company.

54. Chiropractors must take the necessary measures to ensure that information and documents protected by professional secrecy are not disclosed to a partner, shareholder, director, officer or employee of a partnership or joint-stock company within which chiropractors carry on their professional services or in which they have an interest, where they become aware that the partner, shareholder, director, officer or employee is in a situation of conflict of interest.

In assessing the effectiveness of the measures, the following factors in particular are taken into account:

- (1) the size of the partnership or joint-stock company;
- (2) the precautions taken to prevent access to the records of the chiropractor by the person in the situation of conflict of interest;
- (3) the instructions given for the protection of confidential information or documents relating to the situation of conflict of interest; and
- (4) the degree of isolation, from the chiropractor, of the person in the situation of conflict of interest.

55. Chiropractors may share professional fees only with

- (1) a member of the Ordre des chiropraticiens du Québec; or
- (2) a person with whom they are authorized to carry on their professional activities under the Regulation respecting the practice of the profession of chiropractor within a partnership or joint-stock company, approved by Order in Council 162-2013 dated 7 March 2013, or with a partnership or joint-stock company within which they are authorized to carry on their professional activities under that Regulation.

56. Except for the professional fees to which they are entitled, chiropractors or the partnership or joint-stock company within which they carry on their professional activities may not receive, solicit, pay, offer to pay, or agree to pay any rebate, commission or other benefit relating to the performance of professional services, except tokens of appreciation or gifts of small value.

57. For a given service, chiropractors must only accept fees from a single source, unless explicitly agreed otherwise by all the parties concerned. Chiropractors must accept payment of these fees only from their patient or the latter's representative.

58. As soon as chiropractors become aware that they are in a situation of conflict of interest, they must notify their patient and terminate their professional services, unless the patient, after being informed of the nature of the conflict of interest and all the facts relating thereto, authorizes them in writing to continue their professional services.

DIVISION VI PROFESSIONAL SECRECY

59. Chiropractors must preserve professional secrecy, unless relieved by the patient or where expressly provided by law.

60. Chiropractors must take reasonable measures to ensure that any person who cooperates with them or carries on his or her activities within the same partnership or joint-stock company maintains professional secrecy.

61. Chiropractors who communicate information that is protected by professional secrecy pursuant to the third paragraph of section 60.4 of the Professional Code must, for each communication, enter the following particulars in the patient's record as soon as possible:

- (1) the name of the person or group of persons exposed to the danger;
- (2) the reasons supporting the decision to communicate the information; and
- (3) the subject of the communication, the mode of communication, the name of any person to whom the information was given and the date and time it was communicated.

Chiropractors must also send that information to the syndic as soon as possible.

62. Chiropractors must not disclose that a person used their services.

63. Chiropractors must avoid holding or participating in indiscreet conversations concerning a patient and the services rendered to him or her.

64. Chiropractors must not make use of confidential information to the prejudice of a patient or with a view to obtaining, directly or indirectly, a benefit for themselves, for another person or for the partnership or joint-stock company within which they carry on their professional activities.

DIVISION VII ACCESSIBILITY OF RECORDS AND CORRECTION OF INFORMATION

65. Chiropractors must allow their patient to take cognizance of the documents which concern him or her in any record constituted on his or her behalf and to obtain a copy of such documents.

If the disclosure of the documents to their patient would likely reveal personal information concerning a third person or the existence of such information, and the disclosure could seriously harm that third person, chiropractors must obtain the latter's authorization before communicating the information to their patient except in the case of an emergency that threatens the life, health or safety of the patient concerned.

66. Chiropractors must allow their patient to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, in a document concerning the patient in any record constituted on his or her behalf. Chiropractors must also allow their patient to cause to be deleted any information that is outdated or not justified by the object of the record, or to prepare written comments and file them in the record.

67. Chiropractors holding a record that is the subject of a request for access or correction by the patient concerned must respond to that request with diligence and not later than 20 days after the date of the request.

68. Access to the information contained in a record is free of charge. Despite the foregoing, a fee not greater than the cost of transcription, reproduction or transmission of the information may be charged to the patient. Chiropractors who intend to charge a fee under this section must, before transcribing, reproducing or transmitting the information, inform their patient of the approximate amount exigible.

69. Chiropractors who, under the law, refuse to grant a patient's request for access or correction must give reasons for the refusal in writing, enter the reason in the patient's record and inform the patient of his or her recourses.

70. Chiropractors who grant a request for correction must issue free of charge to the patient a copy of any information modified or added or, as the case may be, an attestation that information has been deleted.

The chiropractor sends a copy of the information or attestation to the person from whom he or she received the information in question, or to any person to whom that information has been disclosed.

71. Chiropractors holding information that is the subject of a request for access or correction must, if they do not grant the request, retain the information for such time as is necessary to allow the patient concerned to exhaust the recourses provided by law.

DIVISION VIII DETERMINATION AND PAYMENT OF FEES

72. Chiropractors or the partnership or joint-stock company within which they carry on their professional activities must charge and accept fair and reasonable fees.

73. Fees are fair and reasonable if they are justified by circumstances and are in proportion to the services rendered. Chiropractors or the partnership or joint-stock company within which they carry on their professional activities must, in particular, take into account the following factors to determine their fees:

- (1) the time devoted to the performance of the professional service;
- (2) the complexity and scope of the service; and
- (3) the performance of services that are unusual or require exceptional competence or celerity.

74. Chiropractors or the partnership or joint-stock company within which they carry on their professional activities must provide their patient with all the explanations required for the understanding of his or her statement of fees and of the terms and conditions of payment and, on request, a detailed statement of the fees.

Chiropractors must ensure that the fees are always indicated separately on any invoice or statement of fees sent by the partnership or joint-stock company to the patient.

75. Chiropractors or the partnership or joint-stock company within which they carry on their professional activities must refrain from demanding advance payment for their services. They must inform their patient of the approximate cost of their services.

76. Chiropractors or the partnership or joint-stock company within which they carry on their professional activities may collect interest on outstanding accounts only after having duly notified their patient thereof. The interest so charged must be at a reasonable rate.

77. Before having recourse to legal proceedings, chiropractors or the partnership or joint-stock company within which they carry on their professional activities must have exhausted all other means available for obtaining payment of their fees.

78. Chiropractors must not sell or otherwise transfer their accounts of professional fees, except to a colleague or a partnership or joint-stock company within which they are authorized to carry on their professional activities pursuant to the Regulation respecting the practice of the profession of chiropractor within a partnership or a joint-stock company approved by Order in Council 162-2013 dated 7 March 2013.

79. Where chiropractors or the partnership or joint-stock company within which they carry on their professional activities appoint another person to collect their fees, they must ensure that the latter acts with tact and moderation.

80. Where chiropractors carry on their professional activities within a joint-stock company constituted for the purposes of such activities, the fees and expenses related to the professional services that they have rendered within the company and on its behalf belong to that company, unless otherwise agreed.

The determination, billing and payment of fees is subject to the conditions set out in this Division and chiropractors are personally responsible for seeing to their application.

CHAPTER IV DUTIES AND OBLIGATIONS TOWARDS THE PROFESSION

DIVISION I INCOMPATIBLE OFFICES AND DUTIES

81. Chiropractors who, directly or through a natural or legal person, a partnership, a group or an association, hold any interest in a business whose object is the production or sale of apparatus or products which may be used for chiropractic examination or treatment when such interest places chiropractors in a situation of conflict of interest with respect to their patient act in a manner which is incompatible with the practice of the profession.

Any agreement entered into by chiropractors or a partnership or company of which chiropractors are partners or shareholders regarding the enjoyment of a building or a space to carry on their professional activities must be entirely recorded in writing and include a statement that the obligations arising from the agreement comply with the provisions of this Code and a clause authorizing release of the agreement to the Ordre des chiropraticiens du Québec on its request.

82. Chiropractors must ensure that none of the activities in which they engage in connection with an office within an enterprise, and which do not constitute the

practice of their profession of chiropractor, compromise compliance with the obligations prescribed by this Code, including honour, dignity and integrity of the profession.

83. Engaging in personal activities or activities relating to health services likely to compromise compliance with the duties and obligations that this Code imposes on chiropractors is incompatible with the practice of the profession.

DIVISION II DEROGATORY ACTS

84. In addition to the acts referred to in sections 57, 58, 59.1 and those that can be determined pursuant to the second paragraph of section 152 of the Professional Code, the following acts on the part of chiropractors are derogatory to the dignity of the profession:

(1) not notifying the Order that they have reason to believe that a candidate for the practice of chiropractic is unsuited to the practice of the profession or that a chiropractor does not abide by the code of ethics of chiropractors;

(2) practising their profession under a number name or name or designation which is misleading or contrary to the honour or dignity of the profession;

(3) through authorization, advice, an order or encouragement, inciting a person who is not a member of the Order to engage in a professional activity reserved for the members of the Order;

(4) communicating with the plaintiff without the prior written permission of the syndic or his or her assistant, once informed of an investigation into the chiropractor's professional conduct or competence or a complaint has been served on the chiropractor;

(5) carrying on professional activities within a company or partnership, or having interest in such company or partnership, where a partner, shareholder, director, officer or employee of the partnership or company is struck off the roll for more than 3 months or has his or her professional permit revoked, except if, within 15 days from the date on which the striking off or revocation becomes executory, the partner, shareholder, director, officer or employee ceases to act as a director or officer within the partnership or company, to attend all shareholders meetings and to exercise his or her right to vote, and disposes of his or her company shares with voting rights or leaves them in the care of a trustee; and

(6) failing to inform the Order that the chiropractor has reason to believe that a chiropractor or a partnership or joint-stock company within which chiropractors practise contravenes the Professional Code or a regulation made under the Code.

85. Unless a chiropractor has obtained a pardon, the chiropractor must send to the secretary of the Order any decision of a Canadian or foreign court declaring the chiropractor guilty of a criminal offence in matters of sexual assault, aggravated assault, fraud or theft, within 10 days of its receipt.

The chiropractor must also, under the same conditions, send to the secretary of the Order any decision rendered in Québec declaring the chiropractor guilty of a penal offence in section 188 of the Professional Code and any decision rendered outside Québec in respect of an offence which, if committed in Québec, could have resulted in penal proceedings under those provisions.

DIVISION III RELATIONS WITH THE ORDER AND THE PROFESSION

86. Chiropractors whose participation in a council for the arbitration of accounts, a committee on discipline or a professional inspection committee is requested by the Order must accept that duty unless they have exceptional grounds for refusing.

87. Chiropractors must, as soon as possible and according to the method of communication requested as the case may be, answer all correspondence addressed to them by the Order, a syndic, an expert, an inspector or the members of the professional inspection committee.

88. Chiropractors must not abuse a colleague's good faith or be guilty of a breach of trust or of disloyal practices towards him or her. They must not, in particular, take credit for a treatment practised by a colleague.

89. Chiropractors consulted by a colleague must provide the latter with their opinion and recommendations as soon as possible.

DIVISION IV CONTRIBUTION TO THE ADVANCEMENT OF THE PROFESSION

90. Chiropractors must, as far as they are able, contribute to the development of their profession by sharing their knowledge and experience with their colleagues and students, and by their participation in continuing education requirements.

Chiropractors may solicit public participation in a research program or experience only after having obtained written approval from the board of directors of the Order. To that end, chiropractors must fill out and send to the secretary of the Order the form entitled "Application for approval of a research program" and attach to it the protocol of the research program they wish to carry out, establishing its compliance with the guidelines concerning research involving human subjects of the Université du Québec à Trois-Rivières (2003-CA483-07-R4710). The guidelines are available on the university's website.

DIVISION V TRANSITIONAL AND FINAL

91. This Code replaces the Code of ethics of chiropractors (chapter C-16, r. 5) and the Regulation respecting advertising by chiropractors (chapter C-16, r. 12).

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

2534

Gouvernement du Québec

O.C. 164-2013, 7 March 2013

Professional Code
(chapter C-26)

Professional activities that may be engaged in within the framework of pre-hospital emergency services and care — Amendment

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

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Collège des médecins du Québec made the Regulation amending the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation amending the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care was published in Part 2 of the *Gazette officielle du Québec* of 13 June 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 made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation amending the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Section 2 of the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care (chapter M-9, r. 2.1) is replaced by the following:

“**2.** In the absence of a first responder or ambulance technician, any person may use the automated external defibrillator when performing cardio-respiratory resuscitation.”

2. Section 3 of this regulation is replaced by the following:

“**3.** In the absence of a first responder or ambulance technician, any person may administer adrenalin with an auto-injection device to a person in the case of an acute anaphylactic allergic reaction.”

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

2535

Draft Regulations

Draft regulation

Health Insurance Act
(chapter A-29)

Régie de l'assurance maladie du Québec — Eligibility and registration of persons — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, the text of which appears hereafter, may be made by the government on the expiry of the 45-day deadline following this publication.

This draft regulation aims to, among other things, update the list of information and documents required during registration and renewal of registration with the Régie de l'assurance maladie du Québec, specify the documents that may serve to prove a person's period of presence in Québec, amend the specifications for photographs so as to harmonize them with those of the Société de l'assurance automobile du Québec and facilitate re-use of a photograph during replacement of a health insurance card.

For further information, please contact:
Stéphan Mercier
Direction de l'admissibilité et des renseignements aux personnes assurées
Régie de l'assurance maladie du Québec
1125, Grande Allée ouest, 3^e étage
Québec (Québec) G1S 1E7

Telephone: 418 682-5137
Fax: 418 644-4476
Email: stephan.mercier@ramq.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the deadline, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

RÉJEAN HÉBERT,
Minister of Health and Social Services

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec

Health Insurance Act
(chapter A-29, s. 5, 9 and 69, 1st par.,
subpars. (a),(j),(j.1), (j.2),(j.3), (l), (l.1), (l.2) and (m))

1. The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec (chapter A-29, r. 1) is amended by inserting, after section 7.2, the following:

“**7.3.** For the purposes of sections 6 and 7.2, a person may demonstrate to the Board that he has been physically present in Québec by one of the following documents:

- (1) a letter from his employer or a work contract mentioning the period of employment and place where he performs his work;
- (2) a statement of earnings;
- (3) a record of employment issued by the employer for the purposes of the Employment Insurance Program;
- (4) a written attestation from a staff member of a local employment centre confirming the period during which he participated in an employment re-integration measure;
- (5) a report card or academic transcript;
- (6) a letter from the staff of an educational institution confirming the period during which he underwent training;
- (7) a personal bank account statement;
- (8) a personal credit card statement;
- (9) a statement of his personal credit file from a credit bureau having its headquarters or home office in Canada;
- (10) a probation document issued by the proper authority or a letter from a probation officer indicating the period during which he was on probation or serving a community sentence;

(11) if this person is unable to provide one of the documents mentioned in subparagraphs (1) to (10), any other document that establishes that he was physically present in Québec during that period.”

2. Section 13.1 of that Regulation is replaced by the following:

“**13.1** The Board may verify with the person who issued a document required under this Regulation or with the person who provided an attestation or a solemn declaration regarding an item of information required under this Regulation, the exactness of the information or documents provided by a person who applies to the Board for registration, renewal of registration or replacement of his health insurance card, who notifies the Board of a change concerning the information or documents provided in support of any of those applications or who has provided a document to the Board for the purposes of section 7.3 or section 13.3.”

3. That Regulation is amended by inserting, after section 13.2, the following:

“**13.3.** The Board may, where it holds information that contradicts or conflicts with the information and documents provided by the insured person or where the information and documents are incomplete, require of an insured person that he provide any document that establishes the accuracy of the information or documents required under this Regulation.”

4. Section 14 of that Regulation is amended:

(1) by replacing subparagraph (6) by the following:

“(6) where applicable, the person’s date of arrival in Québec, date of settlement in Québec, last country of residence or last province of residence in Canada and health insurance number issued by the last province of residence, if available;”;

(2) by replacing subparagraph (7) by the following:

“(7) where the person returns to Québec to take up residence again, the date of departure from and date of arrival in Québec, the date of establishing his domicile in Québec, the last country or province of residence, the date of arrival at that destination, the health insurance number assigned by the Board and, where applicable, the health insurance number issued by the last province of residence, if available;”;

(3) by replacing subparagraph (9) by the following:

“(9) in the event where he is staying in Québec temporarily, the reason for and expected duration of the stay;”

5. Section 15 of that Regulation is amended, in the first paragraph:

(1) by replacing, in subparagraph (1), the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(2) by deleting, in paragraphs (c) and (d) of subparagraph (2), the words “subject to the last paragraph of this section;”;

(3) by replacing subparagraph (3) by the following:

“(3) in the case of a person not holding Canadian citizenship, one of the following documents:

(a) for a person who is a resident of Québec:

(i) the original of the document issued by Canadian immigration authorities attesting to the person’s status as permanent resident of Canada, as well as the original of the Québec selection certificate;

(ii) the original of the document issued by the Immigration and Refugee Board of Canada attesting to the person’s refugee status, accompanied by the original of the Québec selection certificate;

(iii) the original of the Québec selection certificate, as well as the original of the document issued by Canadian immigration authorities demonstrating that this person is authorized to apply in Canada for landing;

(iv) the original of the permit of the Minister of Citizenship, Immigration and Multiculturalism of Canada issued under the Immigration and Refugee Protection Act (Statutes of Canada 2001, chapter 27) with a view to granting landing and identified by code number 86, 87, 88, 89, 90, 91 or 92, together with the original of the Québec selection certificate;

(v) the original of the permit of the Minister of Citizenship, Immigration and Multiculturalism of Canada issued under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) with a view to granting landing and identified by code number 93, 94 or 95;

(b) for a person who is a temporary resident of Québec:

(i) the original of the person's attestation of stay in Québec as a scholar issued by the Ministère de l'Éducation, du Loisir et du Sport;

(ii) the original of the employment authorization issued by Canadian immigration authorities indicating the employer's name and place of employment, together with, in the case of a Canadian International Development Agency scholar, the original of an attestation from an educational institution that the person is receiving only a scholarship supplement from the Agency;

(iii) the original of the authorization issued by Canadian immigration authorities allowing the person to be in Canada, together with a document evidencing that the person holds a liturgical office;";

(4) by replacing paragraph (b) of subparagraph (4) by the following:

"(b) in the case of the spouse, the original of the marriage certificate, the original of the civil union certificate or a sworn statement that:

(i) the spouses have been in a de facto union for at least 1 year; or

(ii) a child has been born of their union; or

(iii) they have adopted a child together; or

(iv) one of the spouses has adopted the other's child;

(b.1) where it is impossible to provide the marriage or civil union certificate, a sworn statement that he is married or in a civil union, as well as the date and place of the marriage or civil union;";

(5) by replacing paragraph (c) of subparagraph (4) by the following:

"(c) in the case of a dependant 18 years of age or older, the original of the evidence of school attendance or the original of the medical certificate, or both, as the case may be;";

(6) by replacing paragraph (b) of subparagraph (7) by the following:

"(b) a copy of the deed of purchase of the property or of the deed of hypothec;";

(7) by replacing paragraph (c) of subparagraph (7) by the following:

"(c) an attestation from the employer, containing the given name, surname, address, telephone number and signature of the declarant and date of signature, that the person holds employment in Québec;";

(8) by replacing paragraph (e) of subparagraph (7) by the following:

"(e) a sworn statement from the lessor, representative of the lessor or lessee, as identified on the residential lease, the address of which is provided under subparagraph (3) of section 14, that the person making an application for registration resides there; this statement must also contain the given name, surname, address, telephone number and signature of the declarant, and the date of his signature;";

(9) by replacing subparagraph (9) by the following:

"(9) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;";

(10) by deleting subparagraph (9.1);

(11) by deleting subparagraph (9.2);

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

"A copy of one of the documents required under subparagraphs (2), (3) and (4) of the first paragraph is admissible insofar as the person presents the original of that document to a person referred to in section 31."

6. Section 21 of that Regulation is amended, in the first paragraph:

(1) by replacing, in subparagraph (1), the text following "(c. A-29, r. 7)," by:

"a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled "Displayed identification feature(s) of the holder" of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled "Machine Readable Travel Documents" and in

Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(2) by deleting subparagraph (2.2);

(3) by replacing subparagraph (4.2) by the following:

“(4.2) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;”.

7. Section 22 of that Regulation is amended, in the first paragraph:

(1) by deleting the words “in writing”;

(2) by inserting, after subparagraph (2.1), the following:

“(2.2) if a change has been made to his Canadian citizen or permanent resident status within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) since his registration or last renewal, the date of this change and one of the documents among those specified in paragraph (c) of subparagraph (2) and in subparagraph (3) of the first paragraph of section 15 attesting to this change;”;

(3) by deleting subparagraph (3.2);

(4) by replacing, in subparagraph (4), the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(5) by replacing subparagraph (5.2) by the following:

“(5.2) in the case of a permanent resident, within the meaning of the Immigration and Refugee Protection Act who has been temporarily absent from Canada, the original of the document issued by Canadian immigration authorities attesting that he has retained his permanent resident status;”;

(6) by inserting, after subparagraph (5.2), the following:

“(5.3) proof that the person has been physically present in Québec as prescribed in section 7.3;”.

8. Section 24 of that Regulation is amended:

(1) by replacing, in the first paragraph, “in writing,” by “therefor”;

(2) by replacing, in subparagraph (4) of the first paragraph, the text following “(c. A-29, r. 7),” by:

“a photograph meeting the specifications of the International Civil Aviation Organization (ICAO). The specifications are listed in the subsection entitled “Displayed identification feature(s) of the holder” of section IV of Volume 1 of Part 3 of ICAO Doc 9303 entitled “Machine Readable Travel Documents” and in Appendix 5 of that same section, except with respect to the following rules having precedence over the ICAO standards:

(a) the photograph must be a colour photograph measuring 50 mm wide X 70 mm high (2 in. wide X 2 3/4 in. high);

(b) a person may be photographed wearing tinted glasses if he is declared to be blind, suffering from photophobia or light intolerance and if he submits a medical certificate to that effect;”;

(3) by inserting, after the first paragraph, the following:

“Notwithstanding the preceding, where an insured person has his application for replacement of a health insurance card authenticated according to one of the

methods prescribed in section 32.1, the documents listed in subparagraphs (4) and (7) of the first paragraph do not have to be provided.”.

9. Section 31 of that Regulation is amended by adding, after the second paragraph, the following:

“Furthermore, in the case of foreign citizens working in Québec for a government other than that of Canada or Québec or working for an organization recognized by the Gouvernement du Québec and coming under a government other than that of Canada or Québec and having signed an agreement with the Minister of Health and Social Services as referred to in section 10.1 of the Act Respecting the ministère de la Santé et des Services Sociaux (chapter M-19.2), an application for registration or for replacement of a health insurance card may also be authenticated by the Minister of International Relations, La Francophonie and External Trade.”.

10. Section 32 of that Regulation is amended by deleting subparagraph (6) from the first paragraph.

11. That Regulation is amended by inserting, after section 32, the following:

“**32.1** Notwithstanding sections 31 and 32, for an application for replacement of a health insurance card, where the Board already holds a photograph and the signature of the insured person filing the application, authentication may also be achieved by one of the following methods:

(a) by the online authentication service available on the website of the Board;

(b) by submittal to the Board of a form provided by the Board to that effect, duly completed and signed by the insured person filing the application and by an insured person who has known him for at least 2 years and who attests to his signature, the latter having to indicate his name in block letters, his telephone number and his address;

(c) by the method prescribed in section 32 without, however, the insured person filing the application having to provide a photograph and without the person referred to in section 31 having to attest that the photograph corresponds to the person filing the application.”.

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

2532

Draft Regulation

Professional Code
(chapter C-26)

Physical rehabilitation therapists — Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter 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 draft Regulation amends section 2.12 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders to add 2 new programs to it. The addition will allow diploma holders who have completed one of those programs to obtain a physical rehabilitation therapist permit from the Ordre professionnel de la physiothérapie du Québec.

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 and to the Ordre professionnel de la physiothérapie du Québec for their opinion. To that end, the Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and bodies concerned.

Further information may be obtained by contacting Marie-France Salvas, Legal Services, Ordre professionnel de la physiothérapie du Québec, 7151, rue Jean-Talon Est, bureau 1000, Anjou (Québec) H1M 3N8; telephone: 514 351-2770; toll free: 1 800 361-2001; fax: 514 351-2658; email: physio@oppq.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 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)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by replacing “and Matane” by “, Matane, Beauce-Appalaches and Thetford”.

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

2531

Draft Regulation

Professional Code
(chapter C-26)

Ordre professionnel des sexologues du Québec — Constitution

The Minister of Justice hereby gives notice, in accordance with the second paragraph of section 27 of the Professional Code (chapter C-26), that the draft letters patent constituting the Ordre professionnel des sexologues du Québec, appearing below, will be considered by the Government on the expiry of 60 days following this publication.

In order to ensure the protection of the public, it is necessary to set out the title reserved for sexologists. To that end, the draft letters patent describe the professional activities that the members of the Order thus constituted may engage in in addition to the activities otherwise permitted by law and a description of any reserved professional activities they may engage in in addition to the activities otherwise permitted by law and the reserved professional activities they may engage in.

The draft letters patent provide for the transitional measures as are considered necessary to facilitate the commencement of the new Order's activities. The measures pertain, among other matters, to the regulations applicable to members and the replacement of such regulations, the conditions of admission of persons as initial members of the Order, the composition and operation

of the board of directors, the duration of the initial term of office of the directors, the manner in which the president and the directors are to be elected and the designation of the Order.

The draft letters patent will be submitted to the Office des professions du Québec and to the Québec Interprofessional Council for their comments. For that purpose, the Office will seek the comments of the Council and forward them with its own comments to the Minister of Justice.

Further information on the draft letters patent may be obtained by contacting Jean Rousseau, research officer, or France Lesage, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any person wishing to comment on the draft letters patent is requested to submit written comments within the 60-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. Comments may be forwarded by the Office to interested persons, departments or bodies.

BERTRAND ST-ARNAUD,
Minister of Justice

Letters patent constituting the Ordre professionnel des sexologues du Québec

Professional Code
(chapter C-26, s. 27)

DIVISION I GENERAL

1. A professional order is constituted by these letters patent, under the name “Ordre professionnel des sexologues du Québec” or “Ordre des sexologues du Québec”.

2. Sexologists may engage in the following professional activities, in addition to those otherwise permitted by law: assess the sexual behaviour and development of a person, determine, recommend and carry on interventions and treatment in order to foster a better sexual balance in the person in interaction with the person's environment.

The reserved professional activities that sexologists may engage in in the activities referred to in the first paragraph are the following:

(1) assess sexual disorders, provided a training certificate has been issued to them by the Ordre professionnel des sexologues du Québec pursuant to a regulation under paragraph *o* of section 94 of the Professional Code (chapter C-26);

(2) assess a person suffering from a mental or neuropsychological disorder attested by the diagnosis or assessment of an authorized professional;

(3) assess an adolescent further to a decision of a tribunal made under the Youth Criminal Justice Act (S.C. 2002, c. 1).

The practice of the profession of sexologist also includes disseminating information, promoting health and preventing suicide, illness, accidents and social problems among individuals and within families and communities to the extent that such activities are related to their professional activities.

Sexologists may practise psychotherapy and use the title of psychotherapist in accordance with Chapter VI.1 of the Professional Code.

3. The following title is reserved for sexologists: “sexologist”.

4. The permit that may be issued by the Ordre professionnel des sexologues du Québec is the sexologist’s permit.

DIVISION II TRANSITIONAL

5. On the date of constitution of the Ordre professionnel des sexologues du Québec, the board of directors of the Order is composed of the president and the following 8 directors, for the following terms:

—2 directors of the board of directors of the Association des sexologues du Québec, in office at the time of the constitution of the Order, chosen from among the directors by an election by secret ballot;

—3 directors of the Regroupement professionnel des sexologues du Québec, in office at the time of the constitution of the Order, chosen from among the directors by an election by secret ballot;

—1 director eligible to the Order at the time of the constitution of the Order, chosen by those 5 directors.

The president is chosen from among the 6 directors by an election by secret ballot.

Four of the directors, including the president, are appointed for a term ending in 2016 and 2 for a term ending in 2017, on the date the directors elected in 2016 and 2017 take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code. They are deemed to be elected directors;

—2 directors appointed by the Office des professions du Québec under section 78 of the Professional Code, one for a term ending in 2016 and the other for a term ending in 2017, on the date the directors elected in 2016 and 2017 take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code.

6. A person who, at the time of the constitution of the Ordre professionnel des sexologues du Québec, is a regular member of the Association des sexologues du Québec or the Regroupement professionnel des sexologues du Québec becomes the holder of the permit from the Order.

7. Until the coming into force of a government regulation made under the first paragraph of section 184 of the Professional Code for the purpose of determining the diplomas giving access to the permit issued by the Ordre professionnel des sexologues du Québec, the following diplomas, issued by the Université du Québec à Montréal, give access to the permit:

(1) Baccalauréat en sexologie (B.A.);

(2) Baccalauréat en sexologie (enseignement) (B.A.);

(3) Baccalauréat d’enseignement en sexologie (B.A.);

(4) Baccalauréat spécialisé en enseignement (sexologie) (B.A.);

(5) Maîtrise en sexologie (concentration clinique ou recherche-intervention) (M.A.);

(6) Maîtrise en sexologie (concentration information en sexologie) (M.A.);

(7) Maîtrise en sexologie (concentration information-sexologie) (M.A.);

(8) Maîtrise en sexologie (concentration counseling) (M.A.);

(9) Maîtrise en sexologie (concentration counseling en sexologie) (M.A.).

8. Until the coming into force of a regulation made by the Ordre professionnel des sexologues du Québec under paragraph *c* of section 93 of the Professional Code for the purpose of prescribing standards for equivalence of

diplomas issued by educational establishments situated outside Québec, for the purpose of issuing a sexologist's permit, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes, the following standards apply:

(1) standards for equivalence of diplomas issued by educational establishments situated outside Québec:

(1.1) a person who holds a diploma in sexology, issued by a university educational institution situated outside Québec, is granted an equivalence of diploma for the purpose of issuing a sexologist's permit if the person shows that the diploma was obtained after completing an undergraduate or master's program comprising a total of 90 credits. A credit represents 45 hours of training or learning activities, spent in a classroom, a laboratory, a workshop, training or personal work. At least 66 of the 90 credits must be in the following subjects and be apportioned as follows:

(a) a minimum of 21 credits in sexual development and sexual health apportioned as follows:

i. 3 credits in the knowledge of anatomy and physiology of human sexuality;

ii. 9 credits in the psychosexual development of children, adolescents, adults and elderly persons;

iii. 6 credits in the knowledge of contraception, fertility, sexually transmitted and blood infections and their consequences on human sexuality;

iv. 3 credits in the knowledge of modern models of sexual health;

(b) a minimum of 12 credits in sexual troubles, psychopathology and sexual violence apportioned as follows:

i. 3 credits in sexual dysfunctions;

ii. 3 credits in gender disorders and atypical sexuality;

iii. 3 credits in psychopathology;

iv. 3 credits in sexual abuse and federal and provincial Acts and regulations;

(c) a minimum of 21 credits in sex intervention apportioned as follows:

i. a minimum of 3 credits in professional organization, ethics and deontology, Québec's professional system, Acts and regulations governing the practice of the profession of sexologist and standards of practice respecting the practice of the profession;

ii. 6 credits related to interview and helping relation techniques;

iii. 3 credits in the study of various clientele such as the cultural and racial aspects of human sexuality;

iv. 6 credits in the planning and animation of social interventions;

v. 3 credits in the study of sex intervention programs;

(d) a minimum of 12 credits or 540 hours of training in sex intervention within a program of studies leading to a bachelor's degree. The training comprises activities allowing students to become familiar with the various aspects of the practice of the profession of sexologist with a variety of client groups and environments. The training is supervised by a professional having professional experience in the field of sex intervention;

(1.2) despite subparagraph 1.1, where the diploma for which equivalence is applied was obtained more than 5 years before the date of the application and the knowledge it certifies no longer corresponds, taking into account the development of the profession of sexologist, to the knowledge currently taught, a person is granted a training equivalence, in accordance with paragraph 2, if the person has acquired, since obtaining the diploma, the level of knowledge and skills required;

(2) standards for training equivalence of a person who does not hold a diploma required for that purpose:

(2.1) a person is granted a training equivalence for the issue of a sexologist's permit if the person shows that he or she has a level of knowledge and skills equivalent to the level that may be acquired by the holder of a diploma recognized as giving access to the sexologist's permit;

(2.2) in assessing the person's training equivalence, the following factors are taken into account:

(a) the nature and duration of the person's work experience;

(b) the fact that the person holds one or more diplomas awarded in Québec or elsewhere;

(c) the nature and content of courses taken and marks obtained;

(d) the nature and content of training periods and other training activities.

9. On the date of constitution of the Ordre professionnel des sexologues du Québec and until the end of the Order's first fiscal year, the annual fee exigible from its members is

(1) for the class of regular member: \$400;

(2) for the class of new graduate member, namely a member of the Order who received the diploma recognized as giving access to the permit of the Order or an equivalence of the diploma or training less than 4 months before: \$250;

(3) for the class of retired member, namely a member of the Order who is 55 years of age or older and who does not carry on the professional activities referred to in section 2: \$100.

10. On the date of constitution of the Ordre professionnel des sexologues du Québec and until the coming into force of a regulation made by the Order under paragraph *d* of section 93 of the Professional Code for the purpose of imposing on the members of the Order the obligation to furnish and maintain security against professional liability, every member of the Order must join a professional liability group insurance plan contract entered into by the Order, providing security to cover liability for any fault committed in the practice of their profession. An insurance certificate is issued by the Order to each sexologist who joins a group plan contract.

11. Until the coming into force of a regulation made by the Ordre professionnel des sexologues du Québec under paragraph *f* of section 93 of the Professional Code for the purpose of determining the location of the head office of the Order, the head office is situated in the territory of the Communauté urbaine de Montréal.

12. On the date of constitution of the Ordre professionnel des sexologues du Québec, the following regulations of the Association des sexologues du Québec and the Regroupement professionnel des sexologues du Québec apply, with the necessary modifications, to the members of the Order to the extent that the regulations are consistent with the provisions of the Professional Code and these letter patents:

(1) Code de déontologie des membres du Regroupement professionnel des sexologues du Québec, made by the Regroupement professionnel des sexologues du Québec on 16 November 2001;

(2) Règlement sur la tenue des dossiers et des cabinets de consultation des sexologues, made by the Association des sexologues du Québec;

(3) Règlement sur la procédure de conciliation et d'arbitrage de comptes des sexologues, made by the Association des sexologues du Québec on 9 December 1994.

The regulations cease to apply to the members of the Order on the date of coming into force of a regulation on the same subject and made by the board of directors of the Order under the Professional Code.

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Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Grande-Tourbière-de-Villerooy Nature Reserve (Secteur Enrico-Michaud) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Villerooy, Regional County Municipality of L'Érable, known and designated as a part of the lot number 723-635, a part of the lot number 723-636, a part of the lot number 723-637, a part of the lot number 723-638 and a part of the lot number 723-639, of the Paroisse de Saint-Jean-Deschaillons cadastre, Lotbinière registry division. This property covering an area of 37,47 hectares.

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

Director of Ecological Heritage and Parks,
PATRICK BEAUCHESNE

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Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Grande-Tourbière-de-Villerooy Nature Reserve (Secteur Ghislain-Bédard) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Villerooy, Regional County Municipality

of L'Érable, known and designated as a part of the lot number 723-654 of the Paroisse de Saint-Jean-Deschaillons cadastre, Lotbinière registry division. This property covering an area of 16,57 hectares.

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

Director of Ecological Heritage and Parks,
PATRICK BEAUCHESNE

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Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Grande-Tourbière-de-Villerooy Nature Reserve (Secteur Gratien-Bédard) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Villerooy, Regional County Municipality of L'Érable, known and designated as a part of the lot number 723-647 and a part of the lot number 723-648, of the Paroisse de Saint-Jean-Deschaillons cadastre, Lotbinière registry division. This property covering an area of 20,74 hectares.

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

Director of Ecological Heritage and Parks,
PATRICK BEAUCHESNE

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Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Grande-Tourbière-de-Villeroy Nature Reserve (Secteur Pascal-Bédard)

— Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Villeroy, Regional County Municipality of L'Érable, known and designated as two parts of the lot number 723-653 of the Paroisse de Saint-Jean-Deschaillons cadastre, Lotbinière registry division. This property covering an area of 19 hectares.

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

Director of Ecological Heritage and Parks,
PATRICK BEAUCHESNE

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Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Île-Kettle Nature Reserve (Conservation de la nature – Québec)

— Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Ville de Gatineau, known and designated as the lot number 1 934 624 of the Quebec cadastre, Hull registry division. This property covering an area of 5,29 hectares.

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

Director of Ecological Heritage and Parks

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Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Île-Kettle Nature Reserve (Conservation de la nature Canada)

— Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (Chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Ville de Gatineau, known and designated as the lots numbers 1 935 149, 1 936 691 et 1 936 692, of the Quebec cadastre, Hull registry division. This property covering an area of 184,64 hectares.

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

Director of Ecological Heritage and Parks

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

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