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Part

2

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Laws and Regulations

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Summary

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
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Regulations and other Acts

Gouvernement du Québec

O.C. 618-2014, 26 June 2014

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14)

Registration of agricultural operations and payment of property taxes and compensations — Amendment

Regulation to amend the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations

WHEREAS, under section 36.12 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14), the Government may, by regulation, determine in particular the minimum average gross revenue per \$100 of property assessment that a registered agricultural operation must produce to qualify for the payment of property taxes and compensations and the content of an application for payment of property taxes and compensations and of the documents and information that must accompany it;

WHEREAS, under section 36.15 of the Act, the Government may, by regulation, define, for the purposes of the Act and the regulation, the expression “gross revenue” and determine the conditions for the registration of an agricultural operation and the content of the registration slip which a person applying for registration is required to complete;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14, ss. 36.12 and 36.15)

1. The Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations (chapter M-14, r. 1) is amended in section 1 by adding the following at the end of the definition of “gross revenue”:

“and the receipts generated by a farm-tourism activity if it is authorized by the Commission de protection du territoire agricole du Québec”.

2. The following is inserted after section 1:

“**1.1.** For the purposes of this Regulation, a farm-tourism activity means an activity that meets all of the following conditions:

- (1) be complementary to agriculture;
- (2) take place in an agricultural operation;
- (3) put in contact the operator and tourists or excursionists;
- (4) make known the production of the agricultural operation, the agriculture and the agri-environment.”.

3. Section 4 is amended in the first paragraph

(1) by adding “, which must be kept up to date” after “information” in the part preceding subparagraph 1;

(2) by replacing subparagraph 3 by the following:

“(3) in respect of each unit of assessment, the total area of the immovables forming part of the agricultural operation, including the usable area and the unusable area, and the total area of the parcels of land of the immovables used for a same plant production, the type of each production and a statement indicating whether the agricultural operation is the owner, lessor or lessee of those areas;”;

(3) by adding “in respect of each unit of assessment,” before “the species” in subparagraph 4;

(4) by striking out “, in respect of heavy calves, hogs, horses and poultry;”;

(5) by striking out “condition of watercourses,” in subparagraph 5;

(6) by adding “in particular the information in subparagraph 1 in case of change of owner of a unit of assessment on which the agricultural operation leases an immovable” after “by section 12” in subparagraph 8.

4. The following is inserted after section 4:

“**4.1.** An immovable newly forming part of the agricultural operation is included in the registration slip as of the date of transfer of ownership of the immovable if the update notice is received by the Minister during the same year as the transfer; failing which, it is included on 1 January of the year in which the notice is received.

An immovable that is no longer part of the agricultural operation is excluded from the registration slip as of the date of transfer of ownership of the immovable.

For the purposes of the first and second paragraphs, the leasing of an immovable is deemed to be a transfer of ownership.”.

5. Section 5 is amended by striking out the third paragraph.

6. Section 10 is amended in the first paragraph

(1) by replacing “at least \$8 per \$100 of property assessment” by “per \$100 of property assessment equal to or greater than the difference between \$8 and the product obtained pursuant to section 10.1, rounded up to the nearest tenth of a dollar;”;

(2) by adding the following at the end:

“As of 1 January 2015, the amount of \$8 is set at \$5.”.

7. The following is inserted after section 10:

“**10.1.** The product referred to in the first paragraph of section 10 is the result of the multiplication of \$0.05 per percentage point of gap greater than zero resulting from the difference between the value of the property assessment per hectare of the agricultural operation’s immovables referred to in the first paragraph of section 10 and the average of the values of property assessment per hectare of the immovables of the registered agricultural operations situated in the same administrative region as that agricultural operation divided by the same average; as of 1 January 2015, the amount of \$0.05 is set at \$0.015.

If the immovables of an agricultural operation are situated in more than one administrative region, the multiplication provided for in the first paragraph is calculated for each administrative region and the product corresponds to the average of the products per administrative region.

For the calculation of the product, the gap in percentage is rounded up to the nearest percentage.

The product may not exceed \$7 and, as of 1 January 2015, \$4.”.

8. Section 13 is amended by replacing the third paragraph by the following:

“The statement required by the second paragraph of section 12 must be corroborated by the Minister of Sustainable Development, the Environment and the Fight Against Climate Change only in cases where an annual phosphorus report must be drawn up.”.

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

Gouvernement du Québec

O.C. 625-2014, 26 June 2014

An Act respecting stuffing and upholstered and stuffed articles
(chapter M-5)

Stuffing and upholstered and stuffed articles
— **Amendment**

Regulation to amend the Regulation respecting stuffing and upholstered and stuffed articles

WHEREAS, under section 38 of the Act respecting stuffing and upholstered and stuffed articles (chapter M-5), the Government may, by regulation, determine the conditions to be fulfilled, the information to be furnished and the duties to be paid by every person who applies for a permit, and the form and tenor of the categories of labels and the manner of affixing such labels to stuffing and upholstered and stuffed articles;

WHEREAS the Government made the Regulation respecting stuffing and upholstered and stuffed articles (chapter M-5, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting stuffing and upholstered and stuffed articles was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting stuffing and upholstered and stuffed articles, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting stuffing and upholstered and stuffed articles

An Act respecting stuffing and upholstered and stuffed articles
(chapter M-5, s. 38)

1. The Regulation respecting stuffing and upholstered and stuffed articles (chapter M-5, r. 1) is amended by replacing section 2 by the following:

“**2.** An application for a permit must be made in writing, be sent to the chief inspector and contain:

(a) the applicant’s name, address and telephone number, as well as the business number assigned under the Act respecting the legal publicity of enterprises (chapter P-44.1), if applicable;

(b) if the applicant is not domiciled in Québec, the name, address and telephone number of the applicant’s importer, as well as the business number assigned under the Act respecting the legal publicity of enterprises, if applicable;

(c) the category and, if applicable, the class of the permit applied for;

(d) the type and, if applicable, the number of upholstered and stuffed articles that the applicant intends to manufacture or repair;

(e) a description of the raw materials used to manufacture stuffing, or a description of the stuffing used to manufacture or repair upholstered and stuffed articles; and

(f) if applicable, the name of the provinces, among those designated in section 20, where a permit to manufacture stuffing or upholstered or stuffed articles has been issued to the applicant and the permit’s number.”

2. Section 3 is replaced by the following:

“**3.** Information provided in an application for a permit must be kept up to date; any change must be brought, in writing, to the chief inspector’s attention as soon as possible.”

3. Section 5 is amended by replacing the text before the first indent of the first paragraph by the following:

“**5.** The duties for the issue of a permit are”.

4. The following is inserted after section 5:

“**5.1.** To renew the permit, the permit holder must apply therefore in writing, include in the application the information provided for in section 2 and pay the duties determined in section 5. That application and payment of the duties must be received by the chief inspector before the permit’s expiry date.”

5. Section 11 is amended by striking out “and shall be examined by the chief inspector”.

6. Schedules 1, 1.1 and 1.2 are revoked.

7. 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. 627-2014, 26 June 2014

Act respecting financial assistance
for education expenses
(chapter A-13.3)

**Financial assistance for education expenses
— Amendment**

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (chapter A-13.3), the Government may make regulations for the carrying out of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 90 of the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), every draft regulation respecting the financial assistance programs introduced by the Act respecting financial assistance for education expenses must, after consultation with the Minister of Education, Recreation and Sports, be submitted to the advisory committee on the financial accessibility of education for advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R.-18.1), a draft of the Regulation to amend the Regulation respecting financial assistance for education expenses was published in Part 2 of the *Gazette officielle du Québec* of 19 March 2014 with a notice that it could be made by the Government on the expiry of 45 days following its publication;

WHEREAS the required consultation was carried out and the advisory committee on the financial accessibility of education has given its advice;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Higher Education, Research and Science:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting financial assistance
for education expenses**

An Act respecting financial assistance
for education expenses
(chapter A-13.3, s. 57)

1. The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended in section 7 by inserting “or is not deemed to reside with his or her parents or sponsor within the meaning of section 31,” after “period,” in the third paragraph.

2. Section 9 is amended by inserting “, or is not deemed to reside with his or her parents or sponsor, pursuant to section 31, with the necessary modifications,” after “sponsor”.

3. Section 12 is amended by adding the following sentence at the end of the first paragraph:

“The income of the parents is added to establish their contribution.”

4. Section 13 is amended by replacing “If” in the first paragraph by “Despite section 12, if”.

5. Section 15 is amended by replacing the first paragraph by the following:

“15. The income used to determine the contribution of the parents, sponsor or spouse is the total income appearing in their respective income tax return filed in accordance with section 1000 of the Taxation Act (chapter I3) for the calendar year ending before the beginning of the year of allocation and confirmed by the assessment notice transmitted in accordance with that Act. However, the total income appearing in the income tax return of one of those persons must be reduced, where applicable, by the amount of the retirement income transferred by the spouse.”

6. Section 17 is amended

- (1) by replacing “\$2,928” in paragraph 1 by “\$2,956”;
- (2) by replacing “\$2,484” in paragraph 2 by “\$2,508”.

7. Section 18 is amended by replacing “\$2,484” by “\$2,508”.

8. Section 26 is amended by replacing “\$182” in the second paragraph by “\$184”.

9. Section 27 is amended by replacing paragraph 1 by the following:

“(1) is in a serious and exceptional situation, within the meaning of section 96;”.

10. Section 29 is amended by replacing the amounts in subparagraphs 1 to 6 of the third paragraph by the following amounts:

- (1) “\$181”;
- (2) “\$181”;
- (3) “\$208”;
- (4) “\$398”;
- (5) “\$454”;
- (6) “\$208”.

11. Section 32 is amended

(1) by replacing “\$380” and “\$811” in the first paragraph by “\$384” and “\$819” respectively;

(2) by replacing “\$169”, “\$211”, “\$600” and “\$211” in the second paragraph by “\$171”, “\$213”, “\$606” and “\$213” respectively.

12. Section 33 is amended

(1) by replacing “\$65” in the first paragraph by “\$66”;

(2) by replacing “\$183” in the second paragraph by “\$185”.

13. Section 34 is amended by replacing “\$268” and “\$1,248” in the first paragraph by “\$271” and “\$1,260” respectively.

14. Section 35 is amended by replacing “\$92” in the second paragraph by “\$93”.

15. Section 37 is amended by replacing “\$244” in the fifth paragraph by “\$246”.

16. Section 40 is amended by replacing “\$70” and “\$561” in the first paragraph by “\$71” and “\$566” respectively.

17. Section 50 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts:

- (1) “\$14,301”;
- (2) “\$14,301”;
- (3) “\$17,181”;

(2) by replacing the amounts in subparagraphs 1 to 3 of the third paragraph by the following amounts:

- (1) “\$3,854”;
- (2) “\$4,877”;
- (3) “\$5,906”.

18. Section 74 is amended by replacing “\$244” and “\$122” in the second paragraph by “\$246” and “\$123” respectively.

19. Section 82 is amended by replacing “\$2,928” and “\$2,193” in the third paragraph by “\$2,956” and “\$2,214” respectively.

20. Section 83 is replaced by the following:

“**83.** The financial resources of a student consist of the total income appearing in his or her income tax return filed in accordance with section 1000 of the Taxation Act (chapter I-3) for the calendar year ending before the beginning of the year of allocation and confirmed by the assessment notice transmitted in accordance with that Act.

In addition, where the student has a spouse or is deemed to receive a contribution from his or her parents or sponsor, their income is added to the amount established in accordance with the first paragraph, as the case may be, and consists of the total income appearing in their respective income tax return filed in accordance with section 1000 of the Taxation Act (chapter I-3) for the calendar year ending before the beginning of the year of allocation and confirmed by the assessment notice transmitted in accordance with that Act.

However, the total income appearing in the income tax return of one of those persons must be reduced, where applicable, by the amount of the retirement income transferred by the spouse.

In the case provided for in section 13, the parent's income consists only of the income of the sole parent whose income must be taken into account pursuant to that section.

Despite the second paragraph, if the student is in any of the situations referred to in section 21, the income of the spouse, parents or sponsor is not taken into account.”.

21. Section 86 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts:

- (1) “\$2.19”;
- (2) “\$3.27”;
- (3) “\$112.70”;

(2) by replacing “\$10.83” in the second paragraph by “\$10.94”.

22. Section 87.1 is amended by replacing “\$370” by “\$374”.

23. Section 96 is amended

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

“The Minister may grant advance financial assistance to a student who has applied for financial assistance and is in a serious and exceptional situation that makes the student unable to meet the more immediate and urgent essential needs. A student is in such situation when, in the previous and current months, he or she

(1) has less resources than the living expenses determined in sections 32 and 33 in the form of cash, property and available credit; and

(2) has no income or has an income enabling him or her to meet only one of the essential needs, like the need for food, lodging, heating, electricity and clothing.”;

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

“The Minister may also grant advance financial assistance to a student who has applied for financial assistance and has, in the preceding month, received last resort financial assistance under the Individual and Family Assistance Act (chapter A-13.1.1).”.

24. This Regulation applies as of the 2014-2015 year of allocation.

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

3403

Gouvernement du Québec

O.C. 628-2014, 26 June 2014

An Act respecting the Société des alcools du Québec (chapter S-13)

**Alcoholic beverages
— Possession and transportation into Québec
of alcoholic beverages acquired in another province
or a territory of Canada**

Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada

WHEREAS subparagraph 9.2 of the first paragraph of section 37 of the Act respecting the Société des alcools du Québec (chapter S-13) provides that the Government, upon the recommendation of the Minister of Economic Development, Innovation and Export Trade and the Minister of Public Security, may make regulations determining the conditions on which a person may bring alcoholic beverages acquired in another province or a territory of Canada into Québec for personal consumption, and prescribing the quantity;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada was published in Part 2 of the *Gazette officielle du Québec* of 20 November 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the possession and transportation into Québec of alcoholic beverages acquired in another province or a territory of Canada

An Act respecting the Société des alcools du Québec (chapter S-13, s. 37, subpar. 9.2)

1. Alcoholic beverages acquired in another province or a territory of Canada may be brought into Québec by every person having the right to purchase and possess them under the Act respecting offences relating to alcoholic beverages (chapter I-8.1) when they are intended for his or her personal consumption and not for resale or any other commercial purpose, if they are in the person's possession or form part of the baggage transported by the person.

2. The maximum quantities of alcoholic beverages per trip that a person may bring into Québec are the following:

- (1) 3 litres of spirits;
- (2) 9 litres of wine;
- (3) 24.6 litres of beer.

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

3404

Gouvernement du Québec

O.C. 629-2014, 26 June 2014

An Act respecting immigration to Québec (chapter I-0.2)

Selection of foreign nationals —Amendment

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS, under subparagraphs *c* and *c.3* of the first paragraph of section 3.3 of the Act respecting immigration to Québec (chapter I-0.2), the Government may make a regulation determining the cases where an undertaking to assist a foreign national to settle in Québec is required and the terms of the undertaking and its duration, which may vary according to the age;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4);

WHEREAS, under section 13 of the Canada-Québec Accord Relating to Immigration and Temporary Admission of Aliens, Canada has sole responsibility for the admission of immigrants in the family class and the assisted relative class, including the responsibility for establishing whether an individual immigrant belongs in either of those classes;

WHEREAS the Government of Canada published, on 18 June 2014, an amendment to the definition of “dependent child” provided for in the Immigration and Refugee Protection Regulations (SOR/2002-227) and the new definition comes into force on 1 August 2014;

WHEREAS, under the Canada-Québec Accord Relating to Immigration and Temporary Admission of Aliens, Québec takes any measures which are necessary to implement the Accord and ensure that its laws and regulations relating to immigration do not prevent full implementation of the Accord;

WHEREAS it is expedient to amend the definition of “dependent child” in the Regulation respecting the selection of foreign nationals;

WHEREAS it is expedient that the amendment comes into force on the same date as the date of the federal regulation to comply with the Canada-Québec Accord Relating to Immigration and Temporary Admission of Aliens;

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

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

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances warrants the absence of such publication:

— since Québec does not have the power to define relationships for the purposes of immigration, it must harmonize its regulations to the regulations of the federal government;

— the short period between the final publication of the federal regulation on 18 June 2014 and its coming into force on 1 August 2014;

— the amendment to the regulations of Québec must come into force on the same date as the date of the federal regulations to comply with the Canada-Québec Accord Relating to Immigration and Temporary Admission of Aliens;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration, Diversity and Inclusiveness:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec
(chapter I-0.2, s. 3.3, 1st par., subpars. *c* and *c.3*)

1. The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended in subparagraph *d.1* of subsection 1 of section 1

(1) by replacing “22” in subparagraph *i* by “19”;

(2) by striking out subparagraph *ii*;

(3) by replacing “22” wherever it appears in subparagraph *iii* by “19”.

2. Section 23 is amended in subparagraph *a* of the first paragraph

(1) by replacing “16” in subparagraph *ii* by “13”;

(2) by replacing “25” in subparagraph *iii* by “22” and “16” by “13”.

3. Schedule A is amended by replacing “21” in criteria 8.2 of factor 8 by “18”.

4. Despite the provisions of this Regulation, the definition of “dependent child”, as it read before 1 August 2014, continues to apply to the application for a selection certificate filed with the Minister before 1 August 2014 by a foreign national who is in one of the following situations:

(1) the foreign national is abroad and is referred to in subparagraphs *i* and *iii* of paragraph *c* of section 18 of the Regulation;

(2) the foreign national is referred to in subparagraph *i.1* of paragraph *c* of section 18 of the Regulation;

(3) the foreign national filed an application in one of the subclasses referred to in section 21 of the Regulation.

The same applies to the foreign national subject of an application for an undertaking filed with the Minister before 1 August 2014 under section 28, 28.1 or 29 of the Regulation and subject to paragraph *b* or, if the foreign national is abroad, subparagraph *iii* of paragraph *c* of section 18.

5. This Regulation comes into force on 1 August 2014.

Gouvernement du Québec

O.C. 631-2014, 26 June 2014

An Act respecting health services and social services
(chapter S-4.2)

Private seniors' residence — Conditions for obtaining a certificate of compliance and the operating standards — Amendment

Regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence

WHEREAS the Act to amend various legislative provisions concerning health and social services in order, in particular, to tighten up the certification process for private seniors' residences (2011, chapter 27) was assented to on 30 November 2011;

WHEREAS sections 7 to 10, 21 and 23 of the Act amend certain regulatory powers of the Government concerning private seniors' residences provided for in the Act respecting health services and social services (chapter S-4.2) or introduce new regulatory powers with regard to private seniors' residences;

WHEREAS the provisions of the Act respecting health services and social services, as amended by those sections, empowers the Government to make regulations to provide for categories of private seniors' residences, the qualities required for a person applying for a temporary certificate of compliance, the health and social criteria which the operator of a private seniors' residence must meet to hold a certificate of compliance, the standards applicable to such an operation and the conditions that the staff members and volunteers of such a residence and any other person working in such a residence must fulfill, in particular conditions relating to training and security, including conditions relating to judicial records;

WHEREAS the Government made the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence (chapter S-4.2, r. 5.01);

WHEREAS section 14 of the Regulation provides that the operator of a private seniors' residence must make a call-for-help system available to each resident, enabling the resident to obtain, quickly and at all times, assistance from a staff member responsible for emergency calls. The person must be physically present in the residence and ensure access inside the residence by the emergency services, if applicable;

WHEREAS, under section 24 of the Regulation, the staff members of a private seniors' residence and the volunteers working in the residence must not be charged with or have been convicted of an indictable or other offence related to the abilities and conduct required to work in the residence, unless, in the case of a conviction, a pardon has been obtained;

WHEREAS the first paragraph of section 25 of the Regulation provides that every person wishing to join the staff of a private seniors' residence or to work there as a volunteer must, before beginning work, provide the operator with a declaration concerning any charge or conviction referred to in section 24 unless, in the case of a conviction, a pardon has been obtained;

WHEREAS under the last paragraph of section 25 of the Regulation, the operator must have the accuracy of the declaration referred to in the first paragraph verified by a police force before the staff member or volunteer begins work;

WHEREAS the first paragraph of section 30 of the Regulation provides that, subject to any other legislative or regulatory provision requiring the presence of a larger number of persons in a residence, at least 1 staff member of full age must be present, at all times, in a residence offering services for independent elderly persons that has fewer than 200 rooms or apartments, in order to provide supervision. If the residence has 200 or more rooms or apartments, the minimum number of persons is 2;

WHEREAS section 83 of the Regulation provides that the operator of a private seniors' residence referred to in sections 5 and 6 of the Regulation has until 31 December 2013, and the operator of any other private seniors' residence has until 30 June 2014, to obtain from the staff members and volunteers working at the residence before 30 June 2013 the declaration referred to in section 25 and to have it verified by a police force in accordance with that section if it mentions a judicial record;

WHEREAS section 84 of the Regulation provides that section 14 has effect only from 1 June 2014 with respect to an operator of a private seniors' residence whose services are intended for independent elderly persons and having fewer than 50 rooms or apartments and from 30 November 2013 with respect to any other operator of a private seniors' residence whose services are intended for independent elderly persons;

WHEREAS section 85 of the Regulation provides that the first paragraph of section 30 has effect only from 1 June 2014 with respect to an operator of a private seniors' residence whose services are intended for independent elderly persons and having fewer than 50 rooms or apartments. Until that date, the operator must implement

measures ensuring that a person may be contacted at all times to ensure an immediate intervention in the event of an emergency. The measures must be approved by the operator's board of directors, if applicable;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with section 11 of the Regulations Act (chapter R-18.1), no proposed regulation may be made or submitted for approval before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which the proposed regulation may be made or approved, where the notice or the Act provides for a longer period;

WHEREAS, under section 12 of that Act, a proposed regulation may be made without having been published if the authority making or approving it is of the opinion that the urgency of the situation requires it;

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

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

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under the second paragraph of section 18 of that Act, the reason justifying such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances warrants the making of the Regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence and its coming into force on the date of its publication:

—delays provided for in the transitional provisions of section 83 of the Regulation are expired or are about to expire;

—the Minister of Health and Social Services and the Minister of Public Security concluded, under section 346.0.20.5 of the Act respecting health services and social services, a framework agreement prescribing the procedures of verification by a police force of judicial records of staff members and volunteers working at a private seniors' residence;

—an additional delay is necessary to implement the agreement and to allow operators of private seniors' residences to make the verifications required by section 25 of the Regulation;

—the transitional measures provided for in sections 84 and 85 have expired and sections 14 and 30 of the Regulation are now in force for all operators of residences;

—an additional delay is required to allow certain operators to comply with the provisions of section 14 and the first paragraph of section 30 of the Regulation, and to establish a permanent regulatory solution for the difficulties certain operators had concerning the application of the obligations;

—it is urgent that the proposed amendments to the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence come into force as soon as possible to limit as much as possible the period during which private seniors' residences will be in an unlawful situation;

WHEREAS it is expedient to make the Regulation, which comes into force on the date of its publication in the *Gazette officielle du Québec*;

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

THAT the Regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence

An Act respecting health services and social services (chapter S-4.2, ss. 346.0.6 and 346.0.7)

1. The Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence (chapter S-4.2, r. 5.01) is amended by replacing section 83 by the following:

“**83.** The operator of a private seniors' residence has until 1 April 2015 to obtain from the staff members and volunteers working at the residence the declaration and consents referred to in section 25 and to have the declaration verified by a police force in accordance with that section if it mentions a judicial record.”

2. Section 84 is amended by replacing “from 1 June 2014” by “from the date of coming into force of a regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors’ residence, in particular to amend this section again or to strike it out, or not later than 31 October 2015”.

3. Section 85 is amended by replacing “from 1 June 2014” by “from the date of coming into force of a regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors’ residence, in particular to amend this section again or to strike it out, or not later than 31 October 2015”.

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

3406

Gouvernement du Québec

O.C. 637-2014, 26 June 2014

An Act respecting the Ministère des Transports
(chapter M-28)

Ministère des Transports — Authorizing the signing by a functionary of certain deeds, documents and writings — Amendment

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

WHEREAS the first paragraph of section 7 of the Act respecting the Ministère des Transports (chapter M-28) provides that no deed, document or writing must bind the department or be attributed to the Minister unless signed by the Minister, the Deputy Minister or a functionary but, in the case of such functionary, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5);

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

THAT the Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

An Act respecting the Ministère des Transports
(chapter M-28, s. 7, 1st par.)

1. The Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5) is amended in section 1.0.2

(1) by replacing “Direction des projets routiers et de transport collectif” in the definition of “director” in paragraph 1 by “Direction des projets de transport collectif et de la planification métropolitaine, the Direction des projets routiers stratégiques”;

(2) by inserting, in alphabetical order, the following definitions in paragraph 1:

““director general”: a person who manages an administrative unit whose name begins with “Direction générale”, except the administrative unit whose name begins with “Direction générale adjointe”; (*directeur général*);

“assistant director general”: a person who manages an administrative unit whose name begins with “Direction générale adjointe”; (*directeur général adjoint*);

(3) by replacing “et de transport collectif” in paragraph 2 by “stratégiques”.

2. Section 2 is amended

(1) by replacing “and any person who manages an administrative unit whose name begins with “Direction générale”, except the administrative unit whose name begins with “Direction générale adjointe”” in the part preceding subparagraph 1 of the first paragraph by “, a director general and the Assistant Director General of the Direction générale adjointe à la coordination des ressources”;

(2) by replacing “The Assistant Director General for Human, Financial and Information Resources and the Director of the Direction des projets routiers et de transport collectif” in the second paragraph by “An assistant director general who does not hold any of the positions listed in the first paragraph, the Director of the Direction des projets de transport collectif et de la planification métropolitaine and the Director of the Direction des projets routiers stratégiques”.

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

3413

M.O., 2014

Order of the Minister of Municipal Affairs and Land Occupancy dated 19 June 2014

Cities and Towns Act
(chapter C-19)

Municipal Code of Québec
(chapter C-27.1)

Granting of a general authorization to allow all municipalities and intermunicipal management boards to amend, until 31 December 2014, certain contracts entered into with an enterprise operating a recycling plant

WHEREAS, under the first paragraph of section 573.3.1 of the Cities and Towns Act (chapter C-19) and section 938.1 of the Municipal Code of Québec (chapter C-27.1), the Minister of Municipal Affairs and Land Occupancy may authorize a municipality to award a contract without calling for tenders and the Minister may, on his own initiative, exercise that power in respect of all municipalities for a contract or any class thereof;

WHEREAS section 468.51 of the Cities and Towns Act and section 620 of the Municipal Code of Québec provide that section 573.3.1 of the Cities and Towns Act applies to an intermunicipal management board;

WHEREAS the Minister may use the power provided for in the first paragraph of section 573.3.1 of the Cities and Towns Act and section 938.1 of the Municipal Code of Québec to authorize a municipality or an intermunicipal management board to make amendments to a contract already awarded without having to call for tenders;

WHEREAS, under the second paragraph of those sections, the exercise of such a power by the Minister is not applicable where calls for tenders are required to be public under an intergovernmental trade liberalization agreement applicable to municipalities and intermunicipal management boards;

WHEREAS the Trade and Cooperation Agreement between Québec and Ontario, the Agreement on the Opening of Public Procurement for New Brunswick and Québec (2008) and Annex 502.4 of the Agreement on Internal Trade are applicable;

WHEREAS the three agreements provide exceptions from the public tender process where an unforeseeable emergency situation arises then allowing the amendment of existing contracts in order to mitigate the negative impact resulting from such a situation;

WHEREAS the extraordinary situation of the market for recyclable mixed glass, due to the closing of the main conditioner in Québec for glass from selective collection and to the drop in the resale price of that material, constitutes an unforeseeable emergency situation;

CONSIDERING the possible interest in authorizing municipalities and intermunicipal management boards to amend certain contracts entered into with an enterprise operating a recycling plant in order to mitigate the negative impact resulting from that situation;

THEREFORE, the Minister of Municipal Affairs and Land Occupancy orders as follows:

1. Every municipality or intermunicipal management board that, before the date of coming into force of this Order, has entered into a contract with an enterprise that operates a recycling plant, whose activities are compromised by the closing of the main glass conditioner in Québec and by the drop in the resale price of mixed glass, may until 31 December 2014 enter into an agreement with the enterprise to make amendments to the contract insofar as the amendments

(1) do not operate to extend the term of the contract, be retroactive or compromise the principle of equal treatment of tenderers;

(2) provide that an additional amount will be added to the price set in the contract where the value per tonne of mixed glass is below the financial threshold of \$-7.00 (negative price) per tonne;

(3) provide that the following elements will be taken into consideration to set the additional amount:

(a) the quantity of mixed glass to which the additional amount applies;

(b) the value per tonne of mixed glass, which must be the highest amount between the most up-to-date value determined by the monthly price index for the mixed glass category established by RECYC-QUÉBEC and the monthly revenue from the sale of the glass by the recycling plant in the period to which the index used applies;

(4) may not cause the additional amount to be higher than the difference between the financial threshold and the value per tonne of mixed glass used for the purposes of paragraphs 2 and 3;

(5) provide a monthly or quarterly procedure to adjust the additional amount to which the preceding paragraphs apply, with the necessary modifications;

(6) provide a procedure to determine the compensation that the municipality or intermunicipal management board, as the case may be, is entitled to receive from the recycling plant if, in relation to the average monthly price index for the mixed glass category established by RECYC-QUÉBEC, the market takes an upswing during the term of the contract.

2. The municipality or intermunicipal management board, as the case may be, is to send to the Ministère des Affaires municipales et de l'Occupation du territoire a copy of the amended contract.

3. The municipality or intermunicipal management board, as the case may be, is to publish in the electronic tendering system approved by the Gouvernement du Québec a note of the amendment to the contract based on the information already published on the said contract.

4. This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

PIERRE MOREAU,
Minister of Municipal Affairs and Land Occupancy

3401

M.O., 2014

Order number 2014-07 of the Minister of Transport dated 18 June 2014

Highway Safety Code
(chapter C-24.2)

Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses

THE MINISTER OF TRANSPORT,

CONSIDERING the second paragraph of section 633.1 of the Highway Safety Code (chapter C-24.2), which provides that, the Minister of Transport may, by order, after consultation with the Société de l'assurance automobile du Québec, authorize pilot projects to test the use of vehicles or to study, improve or develop traffic rules or standards applicable to safety equipment and may, in the context of such a pilot project, prescribe rules relating to the use of a vehicle on a public highway and authorize any person or body to use a vehicle in compliance with standards and rules prescribed by the Minister that are different from those provided in the Code and the regulations;

CONSIDERING the third paragraph of that section, which provides that pilot projects are conducted for a period of up to three years, which the Minister may extend by up to two years if the Minister considers it necessary;

CONSIDERING the fourth paragraph of that section, which provides that the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) does not apply to an order made under section 633.1 of the Code and an order under the second or third paragraph of section 633.1 of the Code is published in the *Gazette officielle du Québec*;

CONSIDERING that the Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses (chapter C-24.2, r. 39.1) was implemented for the following purposes:

(1) gather information on the transportation of bicycles on a rack installed on the front of buses and minibuses and its effects, in particular on the intensity of the lights of buses and minibuses;

(2) test solutions, through the development of traffic rules and the study of standards applicable to the lights, intended to ensure adequate vision of a driver and visibility of buses and minibuses;

CONSIDERING that the 3-year pilot project ends on 29 July 2014 and it is expedient to extend it for an additional 2-year period, on the same conditions as those described in Order No. 2011-12 dated 28 June 2011 (2011, G.O. 2, 1749), in order to gather more information and consequently be able to develop traffic rules in that regard;

CONSIDERING that the Société has been consulted on the extension of the Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses for an additional 2-year period;

ORDERS AS FOLLOWS:

1. The Pilot project on the transportation of bicycles on a rack installed on the front of buses and minibuses (chapter C-24.2, r. 39.1) is extended for an additional 2-year period.

2. This Order comes into force on 29 July 2014 and is revoked on 29 July 2016.

ROBERT POËTI,
Minister of Transport

Draft Regulations

Draft Regulation

Highway Safety Code
(chapter C-24.2)

Licences

— 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 licences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes mandatory the training specific to the driving of road trains of more than 25 metres in length based on the requirements prescribed by the Canadian Trucking Alliance. The draft Regulation also provides that the driver must be accompanied while learning to drive the vehicle.

The purpose of the measure is to increase the safety of road users who must manage with the presence of road trains on the highway system. However, every person wishing to complete the training required to drive such vehicle will have to pay the cost of the training.

No specific impact on businesses and small and medium-sized businesses is expected. The new training requirements aim at having the contiguous Canadian jurisdictions recognize the proficiency acquired in Québec in the driving of road trains and ensure an equitable treatment between carriers.

Further information may be obtained by contacting Ann Paquet, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C421, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4584.

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

ROBERT POËTI,
Minister of Transport

Regulation to amend the Regulation respecting licences

Highway Safety Code
(chapter C-24.2, s. 619, par. 6)

1. The Regulation respecting licences (chapter C-24.2, r. 34) is amended by adding the following after paragraph 6 of section 30:

“(7) a class 1 driver’s licence also allows the holder to drive a road train of more than 25 metres in length for the sole purpose of learning to drive it even if the indication to that effect is not entered in the licence holder’s file, provided that the licence holder is accompanied as required by section 99 of the Highway Safety Code (chapter C-24.2).”.

2. Section 46.1 is replaced by the following:

“**46.1.** A person wishing to have the indication “road train” entered in his or her file must:

(1) have held a class 1 driver’s licence for at least 5 years;

(2) have successfully completed the instruction program for driving a road train of more than 25 metres in length provided by a heavy vehicle driving school under a school board.”.

3. This Regulation comes into force on 26 October 2014.

3418

Draft Rules

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Régie de l'énergie

— Procedure

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Rules of Procedure of the Régie de l'énergie, appearing below, may be submitted to the government for approval on the expiry of 45 days from this publication.

The draft Rules replace the Rules of Procedure of the Régie de l'énergie (chapter R-6.01, r. 4). Their main goal is to simplify procedure and reflect new practices at the Régie de l'énergie, in particular the creation of an electronic document filing system. In addition, the draft Rules ensure greater consistency with the Act respecting the Régie de l'énergie (chapter R-6.01) and the Guide de paiement des frais, and clarify the specific procedure applicable to the filing of an application or complaint.

Further information may be obtained by contacting Mtre. Véronique Dubois, secretary of the Régie de l'énergie, Tour de la Bourse, C.P. 001, 800, place Victoria, 2^e étage, bureau 2.55, Montréal (Québec) H4Z 1A2; phone: 514 873-2452; fax: 514 873-2070; E-mail: secretariat@regie-energie.qc.ca

Any person wishing to comment on the draft Rules is requested to submit written comments within the 45-day period to the secretary of the Régie de l'énergie. The comments will be forwarded to the Minister of Energy and Natural Resources, responsible for the administration of the Act respecting the Régie de l'énergie.

PIERRE ARCAND,
Minister of Energy and Natural Resources

Rules of Procedure of the Régie de l'énergie

An Act respecting the Régie de l'énergie (chapter R-6.01, ss. 113 and 115)

CHAPTER I DEFINITIONS

1. For the purposes of these Rules, unless the context indicates otherwise,

“consultation” means the examination of an application by the Régie as part of a written process; (*consultation*)

“document” means any document, as defined in section 3 of the Act to establish a legal framework for information technology (chapter C-1.1), and includes any application, proceeding, evidence, request for information, letter or other communication addressed to the Régie; (*document*)

“expert witness” means a person called to testify at a hearing who is recognized as an expert by the Régie because of his or her knowledge and experience in a specific field or on a specific issue; (*témoin expert*)

“hearing” means a session during which the Régie hears evidence and arguments presented by participants; (*audience*)

“intervenor” means any interested person authorized by the Régie to participate in the examination of an application in order to present a point of view; (*intervenant*)

“participant” means an applicant or an intervenor; (*participant*)

“working session” means any meeting, except a hearing, held to examine an application; it includes an information session, discussion session and negotiation session. (*séance de travail*)

CHAPTER II PROCESSING OF AN APPLICATION

2. This chapter applies to any application processed by the Régie, other than a complaint.

3. A participant who cannot comply with a time limit prescribed by the Régie or by these Rules must give the Régie prior notice in writing, specifying the reason, and state the time within which the participant will comply with the Régie’s demand. The Régie may, on valid grounds, accept the request for an extra time limit on the conditions it determines.

4. The Régie must take all necessary measures to ensure that proceedings follow a simple, expeditious and fair course. It may, in particular, to facilitate the processing of an application, prescribe time limits that differ from those prescribed by these Rules.

5. The Régie may, in the absence of valid grounds, reject any late application or proceeding when it considers that it may have an impact on the fair and expeditious processing of an application.

DIVISION I FILING OF DOCUMENTS

6. Every document cited or relied upon by a participant must be filed with the Régie.

7. Documents are filed by being entered in the electronic filing system of the Régie. When a document is entered in the system, the required number of copies, as specified by the Régie, of the original, signed paper version must be sent to the record office at the Régie.

A document filed in this manner is deemed to have been sent to all the participants.

8. When a participant files all or part of a document at different times, the document deemed filed is the last document filed within the time limit prescribed by the Régie or by these Rules.

9. Every document filed with the Régie must indicate its author's identity.

10. A participant may, with authorization from the Régie, have any document filed as part of a record translated, and file the resulting translation on the conditions set by the Régie.

DIVISION II **SUBMISSION OF AN APPLICATION**

11. Every application to the Régie must be submitted in writing and must

(1) indicate the applicant's name, address, telephone number, electronic address and fax number and, where applicable, the contact information for the applicant's representative;

(2) contain a clear and concise statement of the facts, the object of and reasons for the application, and the conclusions sought;

(3) be signed by the applicant or the applicant's representative;

(4) include all relevant documents in support of the application, and a list of such documents;

(5) be supported by affidavits establishing all the facts set out in the application;

(6) include any applicable fees;

(7) include all other information required by the Régie.

12. If an application does not meet the requirements of section 11 of these Rules, the Régie may

(1) refuse to process the application as submitted and return it to the applicant;

(2) indicate the missing information to the applicant and, if needed, suspend its examination of the application until the missing information is provided;

(3) agree to process the application, on the conditions it considers necessary.

DIVISION III **INSTRUCTIONS ISSUED BY THE RÉGIE**

13. The Régie may issue instructions for the holding of a hearing, consultation, working session or negotiated agreement process, or any other procedure it selects to process an application.

14. When the Régie orders an applicant to publicize its instructions, the instructions may be publicized using any means and any medium specified by the Régie, including an information technology-based medium.

15. In addition to the means provided for in the preceding section, for any matter requiring a public hearing under section 25 of the Act respecting the Régie de l'énergie (chapter R-6.01), a public notice must be published in a periodical circulated in the area concerned by the matter, as specified by the Régie.

DIVISION IV **INTERVENTION**

16. As part of the examination of an application under section 25 of the Act respecting the Régie de l'énergie or when so determined by the Régie, any interested person may apply to the Régie for intervenor status, in the manner provided by section 7 of these Rules.

17. An application for intervenor status must be signed by the interested person or the interested person's representative and filed with the Régie within the time prescribed by the Régie.

The interested person must state

(1) the interested person's name, address, telephone number, electronic address and fax number and, where applicable, the contact information for the interested person's representative;

(2) the nature of the interested person's interest;

(3) the grounds for the intervention;

(4) a concise version of the conclusions sought;

(5) the manner in which the interested person's position is to be presented and, in particular, whether witnesses are to be heard or expert evidence presented;

(6) where applicable, suggestions to facilitate examination of the application;

(7) where applicable, the interested person's representativeness.

18. The applicant concerned may, within five days after an application for intervenor status is filed, file comments on or an objection to the application with the Régie.

19. The interested person may, within three days after comments or objections are filed, file a response with the Régie.

20. When the Régie authorizes an interested person to intervene, it must, if it considers it necessary, determine the framework for the intervention on the basis of the interested person's interest, the nature and importance of the issues addressed, and the issues that the Régie considers relevant and of public interest.

21. The Attorney General and the Minister responsible for the administration of the Act respecting the Régie de l'énergie may at all times intervene on their own motion before the Régie.

DIVISION V COMMENTS

22. An interested person who does not wish to obtain intervenor status but who wishes to submit written comments on a matter examined by the Régie may file the comments within the time prescribed by the Régie.

23. The comments must specify the author's identity, give the author's contact information, provide a description of the nature of the author's interest and include any relevant information explaining or supporting the comments.

DIVISION VI WRITTEN EVIDENCE

24. An applicant must file with the Régie the documents and additional evidence the Régie considers necessary for its deliberations.

25. The Régie may allow any participant to file evidence, which must be supported by affidavits, within the time limit it prescribes.

26. A request for information may be sent to a participant concerning the documents filed by the participant, in the cases provided for by the Régie and within the time limit it sets.

27. Every challenge to a response to a request for information must be filed with the Régie within two days after the response is filed, and specify the grounds for the challenge.

28. The participant concerned may, within three days following the date of filing of the challenge, file comments with the Régie.

29. The Régie may inform a participant of missing elements in the documents filed. It may, in such a case, decide not to take the documents into consideration until the missing elements have been provided, or it may decide to return the documents to the participant.

DIVISION VII EXPERT WITNESSES

30. A participant who retains the services of an expert witness must file with the Régie, with the expert's report, an application for recognition of the expert's status. The application must include

(1) the expert witness's name and contact information;

(2) the mandate of the expert witness and the requested area of expertise;

(3) a copy of the expert witness's résumé, including a description of any experience relevant to the requested area of expertise.

31. Any challenge to an application for the recognition of an expert's status must be filed with the Régie within five days from the date on which the application is filed. The Régie deals with the challenge at the hearing.

32. The Régie may require that experts whose services have been retained by participants communicate with each other to

(1) exchange information and documents relating to facts or opinions on which they disagree;

(2) discuss the facts or opinions on which they disagree to reduce or eliminate the disputed issues;

(3) come to a consensus on the facts, matters and opinions to be decided by the Régie.

The experts must file the results of their communications with the Régie.

DIVISION VIII CONFIDENTIALITY

33. A participant who requires documents or information be treated confidentially must file an application for that purpose with the Régie, supported by an affidavit, and provide the following information:

(1) a summary of the nature of the documents and information for which confidential treatment is requested;

(2) the grounds for the request, including the nature of the harm that would be caused by disclosure of the documents or information;

(3) the period during which confidential treatment is requested.

34. The participant must include the following documents with the application for confidential treatment:

(1) for the public record, a version of the documents in which the information for which confidential treatment is requested has been blocked out;

(2) in a confidential envelope, for the exclusive use of the Régie, a complete version of the documents.

35. Every challenge to an application for confidential treatment must be filed with the Régie within five days from the date on which the application is filed. The participant concerned may then file a response to the challenge within three days from the date on which the challenge is filed.

DIVISION IX HEARING

36. The Régie issues written instructions for the conduct of hearings and the preparation of a schedule and timetable, and fixes the time granted to each participant to present a position.

37. In exceptional circumstances, the Régie may, on grounds it considers valid, grant an application to postpone a hearing.

38. Unless the Régie issues directions to the contrary, a participant in a hearing may call and examine witnesses, examine the other participants' witnesses and present a position.

Witnesses are heard under oath, in the form of a solemn affirmation to tell the truth, the whole truth and nothing but the truth.

39. The Régie may, at the request of a participant or on its own motion, call witnesses and require the production of documents.

Where applicable, the Régie issues a summons to appear, and the participant who has requested it is then responsible for serving the summons on the witness concerned at the participant's own expense.

The summons to appear must be served at least five clear days before the date scheduled for the witness's appearance, unless the Régie issues special instructions.

40. If a participant fails to attend a hearing, the Régie may render its decision in the participant's absence after ensuring that the participant was duly notified of the hearing.

41. All hearings are recorded by the Régie. Shorthand or machine shorthand notes may also be taken.

A participant who requests a copy of the recording from a hearing in order to transcribe it must provide the Régie with a copy of the transcript of the recording on the conditions determined by the Régie, whatever the medium used. The transcript costs are borne by the participant, unless the Régie decides otherwise.

DIVISION X PAYMENT OF COSTS

42. A participant, other than the carrier of electric power or a distributor, may file with the Régie a claim for costs, duly completed, within 30 days after the date on which the matter is taken under advisement.

43. The carrier of electric power or a distributor from which the costs are claimed may, within ten days after the date on which the claim for costs is filed, file an objection or comments with the Régie.

44. A participant claiming costs may, within ten days after the date on which the objection or comments are filed, file a response with the Régie.

45. The Régie may depart from the procedure provided for in this Division to accelerate or facilitate the payment of costs.

CHAPTER III PROCESSING OF A COMPLAINT

DIVISION I CONCILIATION

46. As part of the complaint processing process, the Régie must take all necessary steps to promote the use of conciliation.

47. When conciliation leads to an agreement, the complainant and, as applicable, the electric power carrier or a distributor must notify the Régie in writing. Upon receiving notification, the Régie closes the record.

48. Consent to allow inadmissible evidence consisting of information and documents exchanged during conciliation must be given in writing and be signed by the parties.

DIVISION II EXAMINATION OF A COMPLAINT

49. Every application to the Régie for the examination of a complaint must be in writing and

(1) state the complainant's name, address and telephone number and, where applicable, the complainant's electronic address and fax number and the contact information for the complainant's representative;

(2) contain a clear, brief account of the facts, the grounds for the complaint and the conclusions sought;

(3) be signed by the complainant or the complainant's representative;

(4) include all relevant documents in support of the complaint.

50. The Régie examines complaints on the basis of the written record or by holding a hearing.

51. Sections 3, 4 and 24 to 41 of these Rules, adapted as required, apply to the examination of a complaint.

52. Any grounds for the inadmissibility of a complaint must be raised when the internal examination record for the complaint is forwarded.

53. When a complaint is withdrawn, the complainant must notify the Régie in writing. When a complaint is settled, the complainant and, as applicable, the electric power carrier or a distributor must notify the Régie in writing. On receiving notification in either case, the Régie closes the record.

CHAPTER IV COMPLEMENTARY PROVISIONS RESPECTING ADVICE TO THE MINISTER OR THE GOVERNMENT

54. Where the Minister requests advice from the Régie under section 42 or 57 of the Act respecting the Régie de l'énergie and requires the Régie to hold a public hearing, or if the Régie decides to hold a hearing or otherwise receive comments from the public, the Régie must determine, in its instructions, the procedure for the public hearing or consultation.

CHAPTER V MISCELLANEOUS PROVISIONS

55. If a date determined in these Rules for the doing of a thing falls on a non-working day, the thing may be validly done on the next following working day.

For the purposes of the first paragraph, Saturday, Sunday and any other day on which the offices of the Régie are closed are non-working days.

56. With authorization from the Régie, any delay, defect of form or irregularity of procedure may be remedied.

57. The secretary of the Régie is empowered to receive the documents that must be filed with the Régie under the Act or these Rules.

58. Upon payment of the reproduction costs, any interested person may obtain a copy of any document filed with the Régie other than a document for which a confidentiality order or publication ban has been made.

CHAPTER VI TRANSITIONAL AND FINAL PROVISIONS

59. These Rules replace the Rules of Procedure of the Régie de l'énergie (chapter R-6.01, r. 4).

60. Applications being processed on the date of coming into force of these Rules are continued in accordance with these Rules.

61. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

3416

Draft Regulation

An Act respecting safety in sports
(chapter S-3.1)

Qualifications for recreational underwater diving — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the By-law to amend the By-law respecting qualifications for recreational underwater diving, made by the Fédération québécoise des activités subaquatiques and appearing below, may be approved by the undersigned on the expiry of 45 days following this publication.

The draft By-law updates the list of organizations certified and certain schedules to the By-law to recognize the certificates issued by the Association des instructeurs de plongée (ADIP).

The draft By-law was made by the Fédération québécoise des activités subaquatiques (FQAS) in accordance with its designation by the minister responsible under section 46.15 of the Act respecting safety in sports (chapter S-3.1) authorizing the FQAS to make by by-law standards determining the qualification for instructors and divers.

Further information may be obtained by contacting Sylvie Turner, 100, rue Laviolette, bureau 306, Trois-Rivières (Québec) G9A 5S9; telephone: 819 371-6033, extension 4427 or 1 800 567-7902; fax: 819 371-6992; email: sylvie.turner@mels.gouv.qc.ca

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to the Director of the Direction de la promotion de la sécurité, Ministère de l'Éducation, du Loisir et du Sport, 100, rue Laviolette, bureau 306, Trois-Rivières (Québec) G9A 5S9.

YVES BOLDUC,
Minister of Education, Recreation and Sports

By-law to amend the By-law respecting qualifications for recreational underwater diving

An Act respecting safety in sports
(chapter S-3.1, s. 46.15)

1. The By-law respecting qualifications for recreational underwater diving (chapter S-3.1, r. 8) is amended by inserting, in alphabetical order, “ADIP: Association des instructeurs de plongée” in section 17.1.

2. Schedules 7 to 13 are respectively amended by inserting the following in alphabetical order:

(1) Schedule 7: Association des instructeurs de plongée (ADIP);

(2) Schedule 8: ADIP – Diver 1*;

(3) Schedule 9: ADIP – Diver 2*;

(4) Schedule 10: ADIP – Diver 3*;

(5) Schedule 10.1: ADIP – Diver 4*;

(6) Schedule 11: ADIP – Instructor 1*;

(7) Schedule 12: ADIP – Instructor 2*;

(8) Schedule 13: ADIP – Instructor 3*.

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

3410

Draft Regulation

An Act respecting the Société d'habitation du Québec
(chapter S-8)

Conditions for the leasing of dwellings in low-rental housing in Nunavik — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, made by the Société d'habitation du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft By-law provides, for a maximum period of one year, for the suspension of the annual increase of the maximum rent for certain lessees who have an income of less than \$90,000 per year.

The draft By-law has no impact on small and medium-sized businesses.

Further information may be obtained by contacting Guylaine Marcoux, Secretary, Société d'habitation du Québec, 1054, rue Louis-Alexandre-Taschereau, aile Saint-Amable, 3^e étage, Québec (Québec) G1R 5E7; telephone: 418 643-4035, extension 2024; fax: 418 646-5560.

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to the secretary of the Société d'habitation du Québec at the above-mentioned address.

PIERRE MOREAU,
Minister of Municipal Affairs and Land Occupancy

By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

An Act respecting the Société d'habitation du Québec (chapter S-8, s. 86, 1st par., subpar. g, and 2nd par.)

1. The By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik (chapter S-8, r. 4) is amended in section 7 by adding the following paragraphs:

“The increase of the maximum rent provided for in this section for 1 July 2014 does not apply to the maximum rent provided for the leases renewed between 1 July 2013 and 30 June 2014, if the income of the lessee, calculated in accordance with subparagraph 1 of the first paragraph of section 5, is less than \$90,000 and if the lessee has filed, before (*enter the thirtieth day following the date of coming into force of this By-law*), a copy of the notice of assessment.

The maximum rent for the month of (*enter the month following the thirtieth day following the date of coming into force of this By-law*) is obtained using the following formula:

$$A - Cx(B-A)$$

where

(1) “A” is the maximum rent of the lessee on 1 July 2013;

(2) “B” is the maximum rent established pursuant to the first and second paragraphs of this section on 1 July 2013 increased in accordance with those paragraphs;

(3) “C” is the number of months’ rent already paid by the lessee since the renewal of the lease.

If the lessee files the notice of assessment after the expiry of the prescribed period, the maximum rent of the month in which the lessee files the notice of assessment is the maximum rent of the lessee on 1 July 2013. The lessor must make deductions on the rent of the following month.

For the subsequent months in the case of a lease renewed between 1 July 2013 and 30 June 2014, the maximum rent is the maximum rent of the lessee on 1 July 2013.

The third to sixth paragraphs of this section do not apply to leases renewed from 1 July 2014. At the renewal of the leases of the lessees who will have availed themselves of the non-application of the increase of their rent on 1 July 2014, the maximum rent of those lessees will be increased by 8% in accordance with the first and second paragraphs of this section.”

2. This By-law comes into force on (*enter the date of publication of this By-law in the Gazette officielle du Québec*).

3415

Draft Regulation

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

Taxi owners

— Maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation

Notice is given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation amending the Regulation respecting the maximum number of taxi owner’s permits per taxi servicing area and certain conditions of operation,” of which the text is reproduced below, may be adopted by the Commission des transports du Québec upon expiry of a 45-day period following its publication.

This draft regulation aims to reduce to seven (7) the maximum number of taxi owner’s permits that can be issued in the A.28 Dolbeau-Mistassini servicing area. According to the Commission’s assessment, this number takes into account a balance between the demand for taxi services in this servicing area and the profitability of the concerned companies holding taxi owner’s permits. This amendment is further to a consultation, among others with the concerned permit holders, pursuant to section 10.1 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01).

For more information concerning the draft regulation, contact Christian Daneau, Secretary and Director of the Direction des services juridiques et secrétariat, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1, telephone: (514) 906-0350, ext. 3014, fax: (514) 873-5947.

All comments must be submitted in writing in the 45 days following publication of this draft regulation, to Christian Daneau, Secretary and Director of the Direction des services juridiques et secrétariat, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1. All comments will be analyzed by the Commission des transports du Québec.

CHRISTIAN DANEAU,
Secretary of the Commission des transports du Québec

Regulation amending the regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

An Act respecting transportation services by taxi
(R.S.Q., c. S-6.01)

1. The schedule of the Regulation respecting the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation is amended with the replacement of the number 9 by the number 7 in the Taxi Owner's Permits column for the A.28 Dolbeau-Mistassini servicing area (administrative number: 102028).

2. This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

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

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