

Summary

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- (1) Acts assented to, before their publication in the annual collection of statutes;
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- (4) decisions of the Conseil du trésor and ministers' orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do no require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasijudicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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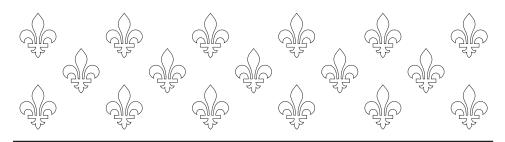
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NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 22 (2014, chapter 14)

An Act to address the findings of the panel established under the Agreement on Internal Trade regarding sections 7.1 and 7.2 of the Food Products Act

Introduced 12 November 2014
Passed in principle 19 November 2014
Passed 2 December 2014
Assented to 3 December 2014

EXPLANATORY NOTES

This Act amends the Food Products Act to withdraw the provisions that prohibit mixing a dairy product or constituent of a dairy product with a dairy product substitute, and preparing, offering for sale, selling, delivering, processing or keeping, displaying or transporting for the purpose of sale any dairy product substitute that is not designated by a regulation of the Government.

LEGISLATION AMENDED BY THIS ACT:

- Food Products Act (chapter P-29).

Bill 22

AN ACT TO ADDRESS THE FINDINGS OF THE PANEL ESTABLISHED UNDER THE AGREEMENT ON INTERNAL TRADE REGARDING SECTIONS 7.1 AND 7.2 OF THE FOOD PRODUCTS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- **1.** Sections 7.1 and 7.2 of the Food Products Act (chapter P-29) are repealed.
- **2.** Section 40 of the Act is amended by striking out paragraphs b.1 and b.2.
- **3.** This Act comes into force on 3 December 2014.

Regulations and other Acts

Gouvernement du Québec

O.C. 96-2015, 18 February 2015

An Act respecting the professional recognition of medical electrophysiology technologists (2012, chapter 10)

Medical electrophysiology technologists
—Standards applicable to persons other than
medical electrophysiology technologists to engage
in professional activities that may be engaged in by
medical electrophysiology technologists

Regulation respecting regulatory standards applicable to persons other than medical electrophysiology technologists to engage in professional activities that may be engaged in by medical electrophysiology technologists

WHEREAS, under the second paragraph of section 19 of the Act respecting the professional recognition of medical electrophysiology technologists (2012, chapter 10), the board of directors of the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec may make a regulation determining, among the regulatory standards applicable to the members of the Order, those applicable to persons referred to in section 5 of the Regulation respecting professional activities that may be engaged in by a medical electrophysiology technologist (chapter M-9, r. 11);

WHEREAS, under the third paragraph of section 19 of the Act, section 95 of the Professional Code (chapter C-26) applies to a regulation made under the second paragraph of section 19;

WHEREAS the board of directors of the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec made, on 21 May 2014, the Regulation respecting regulatory standards applicable to persons other than medical electrophysiology technologists to engage in professional activities that may be engaged in by medical electrophysiology technologists;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of an order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination;

it is 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), the draft Regulation respecting regulatory standards applicable to persons other than medical electrophysiology technologists to engage in professional activities that may be engaged in by medical electrophysiology technologists was published in Part 2 of the *Gazette officielle du Québec* of 3 September 2014 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 examined the Regulation and submitted it to the Government with 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 respecting regulatory standards applicable to persons other than medical electrophysiology technologists to engage in professional activities that may be engaged in by medical electrophysiology technologists, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS, Clerk of the Conseil exécutif

Regulation respecting regulatory standards applicable to persons other than medical electrophysiology technologists to engage in professional activities that may be engaged in by medical electrophysiology technologists

An Act respecting the professional recognition of medical electrophysiology technologists (2012, chapter 10, s. 19)

1. The purpose of this Regulation is to determine, among the regulatory standards applicable to medical electrophysiology technologists, those applicable to persons other than medical electrophysiology technologists

that engage in activities under section 19 of the Act respecting the professional recognition of medical electrophysiology technologists (2012, chapter 10).

- **2.** The regulatory standards applicable to persons referred to in section 1 are those provided for in the following regulations:
- (1) Code of ethics of medical imaging technologists, radiation oncology technologists and medical electrophysiology technologists (chapter T-5, r. 5);
- (2) Règlement sur la formation continue des membres de l'Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec (chapter T-5, r. 9);
- (3) Règlement sur la tenue des dossiers, des registres et des cabinets de consultation et sur la cessation d'exercice d'un membre de l'Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec (chapter T-5, r. 14).
- **3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102027

Draft Regulations

Draft Regulation

An Act respecting collective agreement decrees (chapter D-2)

Solid waste removal

- —Levies
- -Amendment

Notice is hereby given, in accordance with subparagraph *i* of the second paragraph of section 22 of the Act respecting collective agreement decrees (chapter D-2), that the Comité paritaire des boueurs de la région de Montréal sent an application to the Minister of Labour for approval of the Regulation to amend the Levy Regulation of the Comité paritaire des boueurs de la région de Montréal and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the amount of the levy payable by an artisan who does not work for a professional employer.

The consultation period will clarify the scale of the impact of the amendments sought on enterprises, particularly small and medium-sized businesses.

Further information on the draft Regulation may be obtained by communicating with Audrey Pichette, Direction des politiques du travail, 200, chemin Sainte-Foy, 5° étage, Québec (Québec) G1R 5S1; telephone: 418 646-2547; fax: 418 643-9454; email: audrey.pichette@travail.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6e étage, Québec (Québec) G1R 5S1.

MANUELLE OUDAR, Deputy Minister of Labour

Regulation to amend the Levy Regulation of the Comité paritaire des boueurs de la région de Montréal*

An Act respecting collective agreement decrees (chapter D-2, s. 22, 2nd par. subpar. *i*)

- **1.** The Levy Regulation of the Comité paritaire des boueurs de la région de Montréal is amended by inserting the following after section 4:
- **"4.1.** Artisans who do not work for a professional employer must remit to the Parity Committee an amount of \$25.00 per month.".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102033

Notice

An Act respecting collective agreement decrees (chapter D-2)

Solid waste removal

—Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour has received an application from the contracting parties to amend the Decree respecting solid waste removal in the Montréal region (chapter D-2, r. 5) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R 18.1), the draft Decree to amend the Decree respecting solid waste removal in the Montréal region, appearing below, may be made by the government on the expiry of 45 days following this publication.

^{*} The Levy Regulation of the Comité paritaire des boueurs de la région de Montréal was approved by Order in Council 2626-85 dated 11 December 1985 (1985, *G.O.* 2, 4379) and has not been amended since that date.

The draft Decree extends the scope of the Decree to include the collection, transport or unloading of certain products collected for recovery and recycling purposes. It also amends certain rules concerning the group insurance plan.

The consultation period will allow the effect of the proposed amendments on businesses, including small and medium-sized businesses, to be determined.

Further information may be obtained by contacting Louis-Philippe Roussel, Direction des politiques du travail; telephone: 418 644-2206; fax: 418 643-9454; E-mail: louis-philippe.roussel@travail.gouv.qc.ca; mail: 200, chemin Sainte-Foy, 5° étage, Québec (Québec) GIR 5S1.

Any person wishing to comment on this matter is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6° étage, Québec (Québec) G1R 5S1.

MANUELLE OUDAR, Deputy Minister of Labour

Decree to amend the Decree respecting solid waste removal in the Montréal region

Act respecting collective agreement decrees (chapter D-2, ss. 4 and 6.1)

1. Section 1.01 of the Decree respecting solid waste removal in the Montréal region (chapter D-2, r. 5) is amended by adding the following at the end of paragraph 2:

", and any product mentioned above that is collected for the purpose of recovery or recycling.".

- **2.** Section 7.02 is replaced by the following:
- "7.02. A monthly premium is payable jointly by the employer and the employee to the Comité paritaire des boueurs de la région de Montréal in accordance with the group insurance plan adopted by the contracting parties and administered by the committee.

The amount payable by the employer for each insurable employee under the plan is \$56.68 per month and the amount payable by each employee is the difference between the monthly premium payable to the insurer and the monthly amount payable by the employer, up to a maximum of \$56.68 per month.

Beyond this amount, any increase in the monthly premium is shared equally between the employer and the employee. However, the monthly premium payable jointly by the parties cannot exceed \$150.

The amount payable by the employee may vary according to the insurance coverage chosen by the employee. The employer deducts the amount payable from the wages of each insurable employee.".

- **3.** Section 7.03 is replaced by the following:
- **"7.03.** The employer and the employee do not have to pay for each 30-day period included in the employee's period of invalidity, up to a maximum period of one year."
- **4.** Section 7.08 is amended by replacing "pays" by "and the employee pay".
- **5.** This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

102031

Draft Regulation

An Act respecting municipal taxation (chapter F-2.1)

Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies —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 municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) in order to limit, regarding certain immovables, the payment, to any local municipality or school board, of a sum equal to the amount of any tax or compensation of which it is deprived by reason of exemption of the immovables. Henceforth, the only immovables for which a sum standing in lieu of a tax or compensation will be paid are recognized

immovables of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant.

Further information may be obtained by contacting André G. Bernier, 10, rue Pierre-Olivier-Chauveau, 5° étage, La Tour, Québec (Québec), G1R 4J3; telephone: 418 691-2035; fax: 418 643-4749; email: andre.bernier@mamrot.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to André G. Bernier at the above-mentioned address.

PIERRE MOREAU, Minister of Municipal Affairs and Land Occupancy

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

An Act respecting municipal taxation (chapter F-2.1, s. 210)

- **1.** The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) is amended in section 6 by replacing the first paragraph by the following:
- "6. For every recognized immovable under section 5 of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant, the Government pays to any local municipality or school board a sum equal to the amount of any tax or compensation of which it is deprived by reason of an exemption covered by Division I.".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette* officielle du Québec.

Draft Regulation

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

Safety Code for the construction industry —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Safety Code for the construction industry, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation ensures the health, safety and physical well-being of workers by introducing specific provisions relating to lockout and other energy control methods on construction sites.

To date, study of the matter has shown no impact on enterprises, including small and medium-sized businesses, since enterprises in the construction sector must already apply lockout procedures in work areas where workers are exposed to an inadvertent release of energy. The draft Regulation clarifies the responsibilities of the various stakeholders on construction sites without imposing new obligations on them.

Further information may be obtained by contacting Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, bureau 250, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2014; pierre.bouchard@csst.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President for Partnership and Expert Counselling, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MICHEL DESPRÉS,

Chair of the board of directors and Chief Executive Officer of the Commission de la santé et de la sécurité du travail

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

- **1.** The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended by inserting the following subdivision after section 2.19.3:
- "§2.20. Lockout and other energy control methods
 - 2.20.1. In this subdivision,

"danger zone" means any zone situated inside or around a machine and which poses a risk for the health, safety or physical well-being of workers; (zone dangereuse)

"energy control method" means a method designed to maintain a machine out of working order in such a way that the working order cannot be altered without the voluntary action of every person having access to the danger zone; (méthode de contrôle des énergies)

"individually keyed" means a special layout of the components of a cylinder barrel lock making it possible to open a lock with a single key; (cléage unique)

"lockout" means an energy control method designed to install an individually keyed lock on an energy isolating device or on any other device allowing for the control of energy such as a lockout box. (cadenassage)

2.20.2. Before undertaking any work in the danger zone of a machine, such as erecting, installing, adjusting, inspecting, unjamming, setting up, decommissioning, maintaining, dismantling, servicing, refurbishing, repairing, altering or unlocking, lockout, or, failing that, any other method that ensures equivalent safety must be applied in accordance with this subdivision.

This subdivision does not apply

- (1) where work is carried out in the danger zone of a machine that has a specific control mode as defined in section 2.20.13;
- (2) where a machine is unplugged within the reach and under the exclusive control of the person who uses it, where the machine has a single energy source and where there remains no residual energy after the machine is unplugged.
- **2.20.3.** Lockout must be carried out by every person having access to the danger zone of a machine.

- **2.20.4.** Where the principal contractor intends to apply an energy control method other than lockout, the principal contractor must first ensure the equivalent safety of that method by analyzing the following:
 - (1) the machine features;
- (2) identification of the health and safety risks when using the machine;
- (3) the estimate of the frequency and seriousness of the potential employment injuries for each risk identified;
- (4) the description of prevention measures that apply for each risk identified, the estimate of the level of risk reduction thus obtained and the assessment of residual risks

The results of the analysis must be recorded in a written document.

The method referred to in the first paragraph must be developed from the elements mentioned in subparagraphs 1 to 4 of the first paragraph.

2.20.5. The principal contractor must, for every machine situated on the construction site, ensure that one or more procedures describing the energy control method are developed and applied.

The procedures must be easily accessible on the sites where work is carried out in written form intelligible to every person having access to the danger zone of a machine.

Where the duration of a construction site lasts more than 1 year, the procedures must be reviewed periodically so as to ensure that the energy control method remains efficient and safe.

- **2.20.6.** A procedure describing the energy control method must include the following:
 - (1) identification of the machine;
- (2) identification of the person responsible for the energy control method;
- (3) identification and location of every control device and of every energy source of the machine;
- (4) identification and location of every cutoff point of every energy source of the machine;
- (5) the type and quantity of material required for applying the method;

- (6) the steps required to control the energy;
- (7) where applicable, the measures designed to ensure the continuity of application of the energy control method during a staff rotation, namely the transfer of required material:
- (8) where applicable, the applicable characteristics, such as the release of residual or stored energy, the required personal protective equipment or any other complementary protection measure.
- **2.20.7.** Where lockout is the method applied, the steps required to control energy for the purposes of paragraph 5 of section 2.20.6 must include
 - (1) deactivation and complete shutdown of the machine;
 - (2) elimination of any residual or stored energy source;
- (3) lockout of the machine's energy source cutoff points;
- (4) verification of lockout by using one or more techniques making it possible to reach the highest level of efficiency;
 - (5) safely unlocking and re-operating the machine.
- **2.20.8.** Before applying an energy control method, the principal contractor must ensure that the persons having access to the danger zone of the machine are trained and informed on the health and safety risks related to work carried out on the machine and on the prevention measures specific to the energy control method applied.
- **2.20.9.** An employer or a self-employed worker must obtain written authorization from the principal contractor before undertaking work in the danger zone of a machine. The principal contractor must provide the employer or self-employed worker with the energy control method to be applied.
- **2.20.10.** Where one or more employers or self-employed workers carry out work in the danger zone of a machine, it is the principal contractor's responsibility to coordinate the measures to be taken to ensure the application of the energy control method, in particular by determining their respective roles and their means of communication.
- **2.20.11.** The principal contractor must provide lockout material including individually keyed locks, except if an employer or self-employed worker is responsible therefor pursuant to section 2.20.10.

The name of the person who installs an individually keyed lock must be clearly indicated on the individually keyed lock. Despite the foregoing, the principal contractor may provide persons having access to the danger zone of a machine with individually keyed locks with no name indication, if the principal contractor keeps a record thereof.

The record contains at least the following information:

- (1) identification of each individually keyed lock;
- (2) the name and telephone number of each person to whom a lock is given;
- (3) where applicable, the name and telephone number of the employer of each worker to whom a lock is given;
 - (4) the date and time at which the lock is given;
 - (5) the date and time at which the lock is returned.
- **2.20.12.** Where a lock is forgotten or a key is lost, the principal contractor may, with the agreement of the person who carried out lockout, authorize the lock to be cut after ensuring that it does not involve any danger for the health, safety and physical well-being of that person.

Where the agreement of the person who carried out lockout is not obtained, the principal contractor must, before authorizing the lock to be cut, inspect the danger zone of the machine accompanied by a representative of the certified association of which the person is a member, if he or she is available on the work site or, failing that, by a worker present on the work site designated by the principal contractor.

Every instance of a lock being cut must be entered in a written document kept by the employer for at least one year following the day on which the applicable energy control method is altered.

- **2.20.13.** Where a person does setup work, apprenticeship work, a search for defects or cleaning work requiring that a protector be moved or removed or that a protection device be neutralized in the danger zone of a machine that must remain, in whole or in part, in operation, the machine must be equipped with a specific control mode whose engagement must cause all other controls of the machine to become inoperative and allow
- (1) the dangerous parts of the machine to be operated only by using a control device requiring continuous action or a two-hand control device, or by continuous action of a validation device;

- (2) the machine to be operated only in conditions where the moving parts do not involve any danger for the health, safety and physical well-being of persons having access to the danger zone, for instance, at reduced speed, under reduced tension, step-by-step or by means of a separate step control device.
- **2.20.14.** This subdivision applies, with the necessary modifications, to any work on an electrical installation.".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette* officielle du Québec.

102035

Draft Regulation

Professional Code (chapter C-26)

Nurses

—Diplomas giving access to permits and specialist's certificates

—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 1.17 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders to determine the university level diplomas giving access to permits and specialist's certificates of the Ordre des infirmières et infirmiers du Québec.

The Ordre des infirmières et infirmiers du Québec requests the addition, to the list of diplomas giving access to permits of the Order, of the Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Sherbrooke.

The Order also requests the replacement, in the list of diplomas giving access to the specialist's certificate of nurse practitioner specializing in primary care, of the Maîtrise en sciences cliniques (sciences infirmières) (M.Sc.) awarded by the Université de Sherbrooke by the Maîtrise en sciences infirmières (M.Sc.), cheminement menant aux études spécialisées en soins de première ligne.

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 the Ordre des infirmières et infirmiers du Québec for their opinion. 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 other bodies concerned.

Further information may be obtained by contacting Louise Laurendeau, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, rue Molson, Montréal (Québec) H1Y 4V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147.

Any person wishing to comment on the matter 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° 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.

STÉPHANIE VALLÉE, Minister of Justice

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

Professional Code (chapter C-26, s. 184, 1st par.)

- **1.** The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended in section 1.17
- (1) by adding the following at the end of the first paragraph:
- "(h) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Sherbrooke.";

- (2) by replacing "Maîtrise en sciences cliniques (sciences infirmières) (M.Sc.)" in subparagraph d of subparagraph 4 of the second paragraph by "Maîtrise en sciences infirmières (M.Sc.), cheminement menant aux études spécialisées en soins de première ligne".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102028

 $\label{eq:local_local_local} Index$ Abbreviations: A: Abrogated, N: New, M: Modified

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