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Part

2

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Laws and Regulations

Volume 147

Summary

Table of Contents
Regulations and other Acts
Draft Regulations
Transport
Erratum
Index

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Contents

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

Page

Regulations and other Acts

855-2015	Conditions for obtaining a certificate of compliance and operating standards for a private seniors' residence (Amend.)	2767
856-2015	Conditions for the registration of an ambulance technician in the national workforce registry (Amend.)	2770
	Issuance and renewal of representatives' certificates (Amend.)	2778
	Signing of certain deeds, documents and writings of the Agence du revenu du Québec (Amend.)	2782
	Transfer of certain activities exercised by the CHU de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale	2773
	Transfer of certain activities exercised by the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale	2772

Draft Regulations

	Certification of private seniors' residences	2791
	Code of Civil Procedure, An Act to establish the new... — Basic Parental Contribution Determination Table	2806
	Code of Civil Procedure, An Act to establish the new... — Sales register	2811
	Code of Civil Procedure, An Act to establish the new... — Statement by parties required for an application relating to a support obligation	2813
	Court of Québec	2816

Transport

861-2015	Management of certain portions of local roads built in partnership and situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres	2839
862-2015	Management of certain portions of local roads situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres	2842

Erratum

	Public highways where mobile photo radar devices may be used — Amendments	2847
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Regulations and other Acts

Gouvernement du Québec

O.C. 855-2015, 30 September 2015

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

Private seniors' residence — Conditions for obtaining a certificate of compliance and 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 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 the first paragraph of 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, who 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 of that section 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 whose services are intended for independent elderly persons that has fewer than 200 rooms or apartments, in order to provide supervision, and 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 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;

WHEREAS section 84 of the Regulation provides that, despite section 88, section 14 has effect only 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 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 the first paragraph of section 85 of the Regulation provides that, despite section 88, the first paragraph of section 30 has effect only 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 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;

WHEREAS the second paragraph of section 85 of the Regulation provides that, until the first of the two dates provided for in the first paragraph of that section, the operator referred to therein 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, under paragraphs 2, 2.1 and 5 of section 346.0.6 of the Act respecting health services and social services (chapter S-4.2), the Government may prescribe, by regulation, the health and social criteria with which the operator of a private seniors' residence must comply to receive a certificate of compliance, which may vary according to category of private seniors' residence, the conditions that staff members and volunteers of a private seniors' residence and any other person working in such a residence must fulfill, depending on their duties, in particular conditions relating to training and security, including conditions relating to judicial records, and the information and documents those persons must provide to the operator of the residence to enable the operator to verify whether those conditions have been fulfilled, and any other standard applicable to the operation of a private seniors' residence;

WHEREAS, under the first paragraph of section 346.0.7 of the Act, the Government must include in the health and social criteria determined under paragraph 2 of section 346.0.6 the minimum number of persons required to be present at all times in a private seniors' residence to ensure proper supervision, taking into account, as applicable, the category of the residence;

WHEREAS, under 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 the first paragraph of 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 justifies 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:

—the deadline in the transitional provisions of section 83 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 has expired and the deadlines in sections 84 and 85 will soon expire;

—the Minister of Health and Social Services has set up the strategic committee on the harmonization of the implementation of the certification requirements for private seniors' residences, composed of representatives of all the partners involved, and has held consultations on the amendments to be made to the Regulation and the new rules to be included in it;

—a consensus has been reached by the partners on those amendments, but certain disputes persist, particularly as regards the persons authorized to provide supervision in a private seniors' residence;

—the Minister of Health and Social Services has prepared a draft Regulation respecting the certification of private seniors' residences to replace the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence, which will be published on the same day as this Regulation;

—during the time of the prior publication of the draft Regulation respecting the certification of private seniors' residences, the Minister of Health and Social Services wishes to receive comments from the persons or stakeholders concerned by the rules governing private seniors' residences and comments from the general public on the new proposed rules;

—it is necessary to extend the application of sections 83 to 85 of the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence until the coming into force of the replacing Regulation so that the rules applicable to operators of private seniors' residences remain stable during the time of the prior publication of the draft Regulation respecting the certification of private seniors' residences and the consultations;

—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 time during which operators of private seniors' residences will be in an illegal situation;

WHEREAS it is expedient to make the Regulation, which will come 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.** Despite section 88, the operator of a private seniors' residence has until the date of coming into force of a regulation to amend or replace 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, to obtain from the staff members or volunteers the declaration and consents referred to in section 25 and to have the declaration verified, if it mentions a judicial record.”

2. Section 84 is replaced by the following:

“**84.** Despite section 88, section 14 has effect only from the date of coming into force of a regulation to amend or replace 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, 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.”

3. Section 85 is replaced by the following:

“**85.** Despite section 88, the first paragraph of section 30 has effect only from the date of coming into force of a regulation to amend or replace 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, 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 referred to in the first paragraph 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.”

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

102309

Gouvernement du Québec

O.C. 856-2015, 30 September 2015

An Act respecting pre-hospital emergency services
(chapter S-6.2)

Ambulance technician

— Conditions for the registration in the national workforce registry

— Amendment

Regulation to amend the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry

WHEREAS, under the first paragraph of section 64 of the Act respecting pre-hospital emergency services (chapter S-6.2), the Government may, by regulation, determine the conditions that an ambulance technician must satisfy to be registered in the national workforce registry and obtain an ambulance technician qualification certificate;

WHEREAS, under the second paragraph of section 64 of the Act, the Government may also determine the continuing education requirements and the qualification assessment process to which an ambulance technician is subject every four years as a condition for the maintenance of registration in the national workforce registry;

WHEREAS the Government made the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1);

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 conditions for the registration of an ambulance technician in the national workforce registry was published in Part 2 of the *Gazette officielle du Québec* of 15 July 2015 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 Health and Social Services:

THAT the Regulation to amend the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry, 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 the registration of an ambulance technician in the national workforce registry

An Act respecting pre-hospital emergency services
(chapter S-6.2, s. 64)

1. The Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1) is amended in section 1

(1) by striking out “or an attestation of college studies (AEC) in ambulance techniques recognized by the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie” in subparagraph 1 of the first paragraph;

(2) by striking out subparagraphs 4 to 6 in the first paragraph;

(3) by inserting the following after the second paragraph:

“In addition, an ambulance technician must not have been convicted of an offence under the Act or a regulation made thereunder or have been convicted of an indictable offence related to the carrying on of the activities in respect of which the ambulance technician would be registered in the registry, unless the ambulance technician has obtained a pardon.”;

(4) by striking out the last paragraph.

2. Section 3 is amended by adding “and a certificate attesting to the absence of a criminal record issued by a police force in Québec” at the end of the second paragraph.

3. Section 6 is amended by striking out “or attestation” in paragraph *a*.

4. The following is inserted after section 8:

“**8.1.** An ambulance technician registered in the national workforce registry informs the Minister as soon as possible of any change of postal address or email address.”.

5. The heading of Division II is amended by adding “AND INFORMATION IN THE REGISTRY”.

6. Section 9 is amended

(1) by inserting “active” before “ambulance technician qualification card”;

(2) by adding the following paragraph at the end:

“The registry indicates that an ambulance technician is authorized to carry on either of the following care practice levels:

- (1) primary care practice level;
- (2) advanced care practice level.”

7. The following is inserted after section 9:

9.1. An inactive status is attributed to an ambulance technician registered in the national workforce registry who

(1) has not completed all the mandatory continuing education activities within the 4-year period provided for in section 10, including a technician referred to in section 12;

(2) has not sent the registration maintenance form in accordance with section 9.2;

(3) has been temporarily suspended from all of his or her clinical duties under section 68 of the Act;

(4) has been temporarily struck off by the review committee formed under section 70 of the Act.

An ambulance technician to whom an inactive status has been attributed may not carry on professional activities throughout Québec.”

8. The following is inserted after the heading of Division III and before section 10:

9.2. Not later than 1 month before the end of the 4-year period provided for in section 10, an ambulance technician must, to maintain registration in the registry, file his or her application with the Minister using the registration maintenance form.

The form must be signed by the ambulance technician and accompanied by a statement attesting to the truthfulness of the information provided in the form.

Section 4 applies with the necessary modifications.”

9. Section 10 is amended

(1) by replacing “Corporation d’urgences-santé or a health and social services agency” in the first paragraph by “the latter, Corporation d’urgences-santé or an integrated health and social services centre”;

(2) by adding the following paragraphs at the end:

“The first 4-year period provided for in the first paragraph is calculated from the date of registration in the registry of the ambulance technician and ends on the date of birth of the technician that follows the end of the 4-year period. The subsequent 4-year periods are calculated from the date of birth of the ambulance technician.

Any extension granted to an ambulance technician under section 12 does not extend the 4-year period.”

10. Section 11 is amended by inserting “that may vary depending on the care practice level” in the second paragraph after “activities”.

11. Section 12 is replaced by the following:

12. An ambulance technician who is unable to complete all the mandatory continuing education activities within the period set in section 10 for reasons of sickness, accident, pregnancy, exceptional circumstance or superior force must so inform the regional medical director of pre-hospital emergency services concerned and provide the director with every document justifying such inability.

The regional medical director of pre-hospital emergency services concerned grants the ambulance technician, after consulting the national medical director of pre-hospital emergency services, a maximum period of 12 months from the end of the inability to meet the conditions to maintain registration in the registry.”

12. An ambulance technician who, not later than 31 December 2015, has obtained an attestation of college studies (AEC) in ambulance techniques intended for the Canadian Forces may file, on the conditions provided for in the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1), an application for registration in the national workforce registry.

13. An ambulance technician registered in the national workforce registry whose first 4-year period provided for in section 10 of the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1) ends not later than 29 October 2016 and referred to in subparagraph 1 or 2 of the first paragraph of section 9.1, except an ambulance technician referred to in section 12, may, within 3 months following the end of the first 4-year period provided for in section 10 of the Regulation, obtain a new active qualification card provided that the technician meets the conditions to maintain registration in the registry.”

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

102310

M.O., 2015

Order 2015 013 of the Minister of Health and Social Services dated 1 October 2015

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Transfer of certain activities exercised by the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 180 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) (hereinafter referred to as the “Act”), which provides that the Minister of Health and Social Services must make an order transferring activities relating to primary care liaison teams exercised by the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale so that it takes on additional activities inherent in the mission of a general and specialized hospital centre;

CONSIDERING sections 177 and 180 of the Act, which provide that the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale acquires, on the transfer date determined in the Order, all the movable property related to the transfer and assumes responsibility for all the activities of the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval transferred to it and all the resulting obligations;

CONSIDERING sections 177 and 180 of the Act, which provide that the Minister may, by ministerial order published in the *Gazette officielle du Québec*, determine any particulars or conditions necessary to carry out the transfer;

CONSIDERING that it is expedient to determine the terms and conditions under which the transfer of activities is to take place;

ORDERS AS FOLLOWS:

TRANSFER DATE

1. The transfer takes place on 29 November 2015.

SUBJECT OF TRANSFER

2. The activities described in Schedule I, exercised by the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval in the facility situated at 2725, chemin Sainte-Foy, Québec, are the subject of the transfer.

TERMS AND CONDITIONS OF TRANSFER

3. As of the transfer date, the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale must exercise the transferred activities in the facility situated at 2725, chemin Sainte-Foy, Québec. For that purpose, the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval and the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale must, not later than on the transfer date, enter into an agreement to allow the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale to exercise the transferred activities. The agreement must include the costs related to the use of the facility.

4. The Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval must transfer by gratuitous title to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date, all movable property used for exercising the transferred activities and located on that date in the facility situated at 2725, chemin Sainte-Foy, Québec.

5. The Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval must transfer to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date, the portion of its operating budget related to the exercise of the transferred activities, the amount of which is \$2,128,000 on an annual basis. The amount may, with the approval of the Minister, be reviewed prior to 31 January 2016 if it is found that the current reorganizations have an impact on the transferred activities.

6. The Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval must provide to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, not later than on the transfer date, the list of employees and movable property included in the transfer.

It must also give to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date, the complete record of each employee transferred.

7. The Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval must, if applicable, make and execute, at the expense of the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, any deed, title, document and thing that could reasonably be required for the carrying out of the transfer.

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

SCHEDULE I

Description of the activities included in the transfer

Activities related to primary care liaison teams that cover emergency rooms and patient care units, exercised at the facility situated at 2725, chemin Sainte-Foy, Québec (No. 5123-2130)

The post-acute transitional period from the hospital centre to the living environment or a transitional environment constitutes a vulnerability period with different risks for the persons and their close relations. The professionals of the primary care liaison service are nurses and social workers who work in partnership with intervening parties of the interdisciplinary team of the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval. They are key actors in planning the departure and ensuring a harmonious and safe transition by guaranteeing an optimal continuity of care and services.

The liaison activities range from identifying clients at risk of an unsafe departure from the hospital centre to appropriate guidance. The transfer concerns only the employees identified in the list sent by the Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval.

102314

M.O., 2015

Order 2015 015 of the Minister of Health and Social Services dated 1 October 2015

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Transfer of certain activities exercised by the CHU de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING the first paragraph of section 179 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) (hereinafter referred to as the “Act”), which provides that the Minister of Health and Social Services must, not later than 1 October 2015, make an order transferring specified activities exercised by the CHU de Québec – Université Laval to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale so that it takes on additional activities inherent in the mission of a general and specialized hospital centre;

CONSIDERING the first paragraph of section 179 of the Act, which provides that the transferred activities, mainly primary and secondary care activities, must include part of the physical health program, the adult and pediatric mental health program, including psychiatric emergency care, and the seniors program, and which provides that the primary care liaison teams that cover emergency rooms and patient care units must also be transferred;

CONSIDERING the second paragraph of section 179 of the Act, which provides that to allow the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale to use all or part of the immovables owned by the CHU de Québec – Université Laval, the ministerial order may set out the terms under which space may be leased in those immovables;

CONSIDERING the fourth paragraph of section 179 of the Act, which provides that on the transfer date specified in the ministerial order, the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale acquires all the movable property relating to the transfer and assumes responsibility for all the activities of the CHU de Québec – Université Laval that are transferred to it and all the resulting obligations, including those relating to leases;

CONSIDERING that it is expedient to determine the terms and conditions under which the transfer of activities is to take place;

ORDERS AS FOLLOWS:

TRANSFER DATE

1. The transfer takes place on 29 November 2015.

SUBJECT OF TRANSFER

2. The activities described in Schedule I, exercised by the CHU de Québec – Université Laval in the facilities and other immovables identified in the Schedule, are the subject of the transfer.

TERMS AND CONDITIONS OF TRANSFER

3. As of the transfer date, the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale must exercise the transferred activities in the facilities and other immovables referred to in Schedule I.

For that purpose, the CHU de Québec – Université Laval must transfer by gratuitous title to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, not later than on the transfer date, the leases for

- (1) the immovable situated at 184, rue Racine, Québec (Québec) in which the activities of the Clinique des traumatismes liés au stress opérationnel (TSO) referred to in Schedule I are exercised; and

- (2) the immovable situated at 1092, route de l'Église, Québec (Québec) in which the activities of the Programme d'intervention des troubles des conduites alimentaires (PITCA) referred to in Schedule I are exercised.

In the case of the facilities referred to in Schedule I, the CHU de Québec – Université Laval and the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale must, not later than on the transfer date, enter into an agreement to allow the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale to exercise the transferred activities. The agreement must include the costs related to the use of the facilities and to clinical professional, pharmaceutical and logistics services required by the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale for exercising the transferred activities.

4. The CHU de Québec – Université Laval must transfer by gratuitous title to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date, all movable property used for exercising the activities and located on that date in the facilities and other immovables referred to in Schedule I.

5. The CHU de Québec – Université Laval must transfer to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date, the portion of its operating budget related to the exercise of the transferred activities, the amount of which is \$74M on an annual basis. The amount may, with the approval of the Minister, be reviewed prior to 31 January 2016 if it is found that the current reorganizations have an impact on the transferred activities.

6. The CHU de Québec – Université Laval must provide to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, not later than on the transfer date, the list of employees and movable property included in the transfer and the list of physicians, dentists and pharmacists whose privileges are included in the transfer.

It must also give to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, on the transfer date,

- (1) a true copy of the complete record of each user receiving services related to the transferred activities; and

- (2) the complete record of each employee transferred.

7. The CHU de Québec – Université Laval must, if applicable, make and execute, at the expense of the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale, any deed, title, document and thing that could reasonably be required for the carrying out of the transfer.

COMING INTO FORCE

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

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

SCHEDULE

Description of the programs included in the transfer

1. Physical health program: URFI at Hôpital du Saint-Sacrement

The mission of the regional geriatric intensive functional rehabilitation unit (URFI), situated at Hôpital du Saint-Sacrement of the CHU de Québec–Université Laval, is to offer specialized intensive adjustment and rehabilitation services to seniors who have a geriatric profile. It also has a teaching and research mission in its field of activity.

Units transferred to the CIUSSS de la Capitale-Nationale

Care and services	Site	Administrative units	Budget codes
Hospitalization	HSS	5 ^e Rousseau – 2 ^e Rousseau	13462
			13459

2. Mental health program

At the CHU de Québec–Université Laval, the program offers hospitalization, emergency care, consultation-liaison and specialized outpatient consultation services to persons whose mental health is disrupted and who require a response adapted to their needs and attention appropriate to their situation. It also has a teaching and research mission in its field of activity.

The activities include

1- Adult component

Care and services	Site	Administrative units	Budget codes
Emergency care	CHUL	8 stretchers (+ 5 overflow stretchers)	21006
	HEJ	10 stretchers	21007
	HSS	8 stretchers	21008
Hospitalization	CHUL	Psychiatric care unit	
		- E-3	14111
		- F-4	
		Consultation-liaison service	13088
	HEJ	Psychiatric care unit	
		- D-4	14126
		- D-5	
	HSS	Psychiatric care unit	
		- D-7	14129
		- D-8	
HSFA	Consultation-liaison service	13089	

Ambulatory services	CHUL	Psychiatric outpatient clinic	14514
		Psychiatric clinic - secretariat	14505
	HEJ	Outpatient psychiatric clinic	14503
		Ambulatory geriatric psychiatry team	14601
	HSS	Psychiatric outpatient clinic	14518
1212, Chanoine-Morel	Mental health day hospital	14304	
Specific programs	1096, route de l'Église, Québec	PITCA (Programme d'intervention des troubles de conduite alimentaires) Note: Also includes hospital and outpatient clinic activities at the CHUL	14301
Accessories activities	184, rue Racine, Québec	TSO clinic (treatment of operational stress)	80550

2- Youth component

Care and services	Site	Administrative units	Budget codes
Hospitalization	Centre de pédopsychiatrie situated at 1 av. du Sacré-Cœur, Québec	Care units: 200 Est 300 Est	14001 14272
Ambulatory services	Centre de pédopsychiatrie situated at 1 av. du Sacré-Cœur, Québec	Day hospitals	14242 14287
		Outpatient clinic	14430 25514
	CHUL	Child psychiatry outpatient clinic Emergency nursing care	12304 21013
Support services	Centre de pédopsychiatrie situated at 1 av. du Sacré-Cœur, Québec	Secretariat and other services	60169 60303 70509 34619 42005 74006 14419 14405
Professional services	Centre de pédopsychiatrie situated at 1 av. du Sacré-Cœur, Québec	Professional services	14005 14002 14204 14277 32506 32004 31504 30507 14279 34006 14278
Administrative services	Centre de pédopsychiatrie situated at 1 av. du Sacré-Cœur, Québec		62511 62552

3. Seniors program

At the CHU de Québec–Université Laval, the program combines the care and services provided in a hospital and ambulatory environment intended for seniors with a geriatric syndrome of moderate to severe loss of autonomy or at risk of a loss of autonomy. It also has a teaching and research mission in its field of activity.

In addition, the Centre d'excellence sur le vieillissement de Québec (CEVQ) situated at the HSS, completes the university mission through its care, teaching and research components.

Care and services	Place	Administrative units	Budget codes
Hospitalization	CHUL	UCDG – Block N – Level 1 –	13315
		Geriatric intervention team	13318
	HEJ	UCDG - A 4000 – C 4000	13317
		Geriatric psychiatry home team	14603
	HSFA	UCDG - B7	13316
		Geriatric intervention team	13320
Ambulatory services	CHUL	Day hospital – Block N – Ground floor	24101 and 24102
		Geriatric psychiatry	25169
Administrative support	HSS	DC-SAVIE – administrative component	60531
	HEJ	Secretariat geriatrics	60571
Centre d'excellence sur le vieillissement de Québec Principal activities	HSS-HEJ	Care missions: - UJEG (geriatric assessment-day unit) - Specialized clinics - Mentoring team Teaching mission Research mission	62522 25533 30008 30509 34008 60552 70605 32508 34511 80679 84243
Maison Paul-Triquet Principal activities		Veterans accommodation Long-term care	14922 14974
Centre d'excellence sur le vieillissement de Québec Accessory activities		Research mission Various projects	84283 85006 85010 85013 85014 89680 89811
Maison Paul-Triquet Accessory activities		Administrative units Veterans Affairs Canada	80500 to 80525

4. Liaison teams

The post-acute transitional period from the hospital centre to the living environment or a transitional environment constitutes a vulnerability period with different risks for the persons and their close relations. The professionals of the primary care liaison service are nurses and social workers who work in partnership with intervening parties of the interdisciplinary team of the CHU de Québec–Université Laval. They are key actors in planning the departure and ensuring a harmonious and safe transition by guaranteeing an optimal continuity of care and services. The liaison activities range from identifying clients at risk of an unsafe departure from the hospital centre to appropriate guidance.

The transfer concerns only primary care liaison teams that cover emergency rooms and patient care units.

Considering that the employees belonging to the liaison teams are not grouped into separate budgetary services, the list of the employees to be transferred will be provided to the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale not later than the date on which the activities are transferred.

102315

M.O., 2015-14

Order number D-9.2-2015-14 of the Minister of Finance dated 1 October 2015

An Act respecting the distribution of financial products and services
(chapter D-9.2)

CONCERNING the Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates

WHEREAS subparagraphs 1, 2, 3, 5, 6 and 9 of section 200, subparagraph 3 of section 203 and subparagraphs 8 and 12 of section 223 of the Act respecting the distribution of financial products and services (chapter D-9.2) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the first and the third paragraphs of section 217 of such Act stipulates, in particular, that a regulation made by the *Autorité des marchés financiers* under this Act must be submitted to the Minister of Finance for approval with or without amendment and that a draft of a regulation referred to in the first paragraph may not be submitted for approval and the regulation may not be

made before 30 days have elapsed since the publication of the draft, that the regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the regulation and that sections 4, 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to the regulation;

WHEREAS the Regulation respecting the issuance and renewal of representatives' certificates was made by ministerial order 2010-04 dated February 15, 2010 (2010, *G.O.* 2, 600);

WHEREAS there is cause to amend this regulation;

WHEREAS the draft Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates was published in the *Bulletin de l'Autorité des marchés financiers*, volume 12, no. 22 of June 4, 2015;

WHEREAS on September 9, 2015, by the decision no. 2015-PDG-0138, the *Autorité des marchés financiers* made the Regulation to amend Regulation respecting the issuance and renewal of representatives' certificates;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates appended hereto.

October 1, 2015

CARLOS LEITÃO,
Minister of Finance

Regulation to amend the Regulation respecting the issuance and renewal of representatives' certificates

An Act respecting the distribution of financial products and services

(chapter D-9.2, s. 200, pars. (1), (2), (3), (5), (6) and (9); s. 203, par. (3) and s. 223, pars. (8) and (12))

1. Section 12 of the Regulation respecting the issuance and renewal of representatives' certificates (chapter D-9.2, r. 7) is amended by deleting, in the second paragraph, the words "the first, second and fourth paragraphs of".

2. Section 13 of the Regulation is amended by replacing the words "in accordance with" in paragraph 4 with the words "within the period specified in".

3. Section 14 of the Regulation is replaced by the following:

"**14.** A candidate in the insurance of persons sector or the group insurance of persons sector or in a class of these sectors must complete, as minimum qualifications, the training determined by the Canadian Insurance Services Regulatory Organizations and delivered by a person or company accredited under the agreement entered into for that purpose with the Authority.

A document confirming that such training has been completed must be submitted along with the candidate's application for registration for an examination. This training is valid for a period of 1 year as of the date it is completed."

4. Subdivision 2 of Division II of Chapter II of the Regulation, which consists of section 15, is revoked.

5. Section 17 of the Regulation is amended by replacing the words "A candidate in a particular sector or sector class" with the words "A candidate in the damage insurance sector or claims adjustment sector or in a class of these sectors".

6. The Regulation is amended by inserting the following after section 17:

"**17.1.** A candidate in the insurance of persons sector or the group insurance of persons sector or in a class of these sectors is exempt from the minimum qualifications prescribed under section 14, other than the minimum qualification pertaining to legislation applicable to pursuing activities as a representative, if his application for a certificate is received by the Authority within 3 years following his surrender or non-renewal of a certificate and he acted as a representative for at least 1 year in the same sector or sector class as that covered by the application."

7. Section 18 of the Regulation is replaced by the following:

"**18.** A candidate in the insurance of persons sector or the group insurance of persons sector or in a class of these sectors is exempt from the minimum qualifications prescribed under section 14 if his application for a certificate is received by the Authority within the year following his surrender or non-renewal of a certificate held by him in the same sector or sector class as that covered by the application."

8. Section 19 of the Regulation is replaced by the following:

"**19.** A candidate must, for each sector or sector class for which he is applying for a certificate, pass the examinations prescribed by the Authority in order to pursue activities as a representative.

In the insurance of persons sector or the group insurance of persons sector or a class of these sectors, if a candidate has passed an examination outside Québec, he must furnish the Authority with a document confirming that he passed the examination."

9. Section 20 of the Regulation is amended:

(1) by replacing the words "an application" in the introductory portion of section 20 with the word "applications";

(2) by deleting the second paragraph.

10. Section 21 of the Regulation is replaced by the following:

"**21.** A candidate in the damage insurance sector or the claims adjustment sector or in a class of these sectors who is authorized under a certificate issued by the Authority to act in another sector or sector class is exempt from the examinations he has already passed for the purpose of acting in such other sector or sector class.

In the insurance of persons sector or the group insurance of persons sector or a class of these sectors, a candidate who is authorized under a certificate issued by the Authority to act in another sector or sector class is exempt from the examinations he has already passed for the purpose of acting in such other sector or sector class if his probationary period begins within 3 years following the issuance of his certificate in such other sector or sector class.”.

11. Section 23 of the Regulation is amended by replacing the words “those that seek” with the words “the examination that seeks”.

12. Section 25 of the Regulation is replaced by the following:

“**25.** In the damage insurance sector or claims adjustment sector or a class of these sectors, an examination is valid for a period of 2 years as of the date the candidate passed the examination.”.

In the insurance of persons sector or the group insurance of persons sector or a class of these sectors, an examination is valid for a period of 1 year as of the date the candidate passed the first examination.”.

13. Section 26 of the Regulation is replaced by the following:

“**26.** In the damage insurance sector or claims adjustment sector or a class of these sectors, a candidate who fails the initial examination is entitled to write 3 supplemental examinations.

However, a candidate who has failed an examination and who does not register for the supplemental examination within a period of 2 years as of the date he failed the examination, must register again for the initial examination.

Before submitting a registration application for a third supplemental examination, a candidate must successfully complete the courses related to the failed examination with a training body recognized by the Authority or, failing that, a privately tutored course recognized by it.

A candidate who fails the third supplemental examination must wait for a period of 2 years as of the date of this failed attempt before reapplying to write the examination.”.

14. The Regulation is amended by inserted the following after section 26:

“**26.1.** In the insurance of persons sector or the group insurance of persons sector or a class of these sectors, a candidate who fails an examination is entitled to write as many supplemental examinations as necessary, provided that the minimum qualifications prescribed under section 14 are valid.

Registration for a third or fourth supplemental examination can only take place 3 months as of the date of the most recent failed attempt.

Registration for any subsequent supplemental examination can only take place 6 months as of the date of the most recent failed attempt.

If a candidate must again complete the minimum qualifications prescribed under section 14, any subsequent examination is deemed to be a supplemental examination and the period set out in the third paragraph applies.

26.2. A candidate contemplated in section 26.1 who has failed an examination and who does not register for the supplemental examination within a period of 1 year as of the date he failed the examination, must complete the minimum qualifications prescribed under section 14 before registering again for the initial examination.”.

15. Section 27 of the Regulation is amended by deleting the words “or does not report for this session” in the first paragraph.

16. Section 29 of the Regulation is amended:

(1) by deleting the words “submits an application and” in the introductory portion of the first paragraph;

(2) by replacing the words “must be submitted to the Authority” with the words “is submitted to the Authority by the candidate or” in the third paragraph.

17. Section 29.1 of the Regulation is amended:

(1) by adding the words “in writing” after the word “submit” in the first paragraph;

(2) by inserting the following sentence at the end of the first paragraph:

“This document must be signed by the candidate and the supervisor.”.

18. Section 39 of the Regulation is amended by replacing the second paragraph with the following:

“The probationary period may be extended for its remaining duration. The application for extension is submitted to the Authority by the trainee or by the firm, independent representative or independent partnership with which the trainee undertakes this period, and must be submitted along with documentation of the reason for the interruption.”.

19. Section 45 of the Regulation is amended:

(1) by deleting the words “submits his application and” in the introductory portion of the first paragraph;

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

“The application to act as a supervisor is submitted to the Authority by the representative or by the firm or independent partnership on whose behalf he acts.”.

20. Section 47 of the Regulation is amended:

(1) by deleting the words “must have submitted an application to this effect in accordance with section 45. The replacement supervisor” in the first paragraph;

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

“The application to act as a replacement supervisor is submitted to the Authority in accordance with section 45 by the representative or by the firm or independent partnership on whose behalf he acts.”.

21. The Regulation is amended by inserting the following after section 48.1:

“**48.2.** The trainee’s probationary period must begin with the presentation, by the supervisor, of the objectives of such a period and the tasks which the trainee and the supervisor must carry out pursuant to sections 48, 48.1 and 49.

48.3. The supervisor must open a file for each trainee and enter, in particular, the tasks carried out by the trainee pursuant to section 48 and those he determines in accordance with subparagraph 1 of section 49. A summary of the supervisor’s meetings with the trainee and his notes concerning the trainee’s progress during the probationary period must be entered in the trainee’s file.

The file is to be maintained for a period of 5 years as of the date the probationary period is successfully completed or discontinued, by the firm or independent partnership where the supervisor pursues his activities or by the supervisor if he is an independent representative.”.

22. Section 49 of the Regulation is amended by replacing subparagraph 1 with the following:

“(1) determine the tasks the trainee must carry out, specifying the time limits in which they must be completed, and ensure that these tasks include all the activities that a representative carries out in the sector or sector class for which he is seeking a certificate;”.

23. The Regulation is amended by inserting the following after section 49:

“**49.1.** In the group insurance of persons sector or a class of this sector, the report must, in addition to the information set out in the last paragraph of section 49, contain the evaluation of a case study to be completed by the trainee during the probationary period at the time determined by the Authority and specified in the model available on its website.”.

24. Section 53 of the Regulation is amended:

(1) by replacing, in the introductory portion of the first paragraph, “in paragraphs 1 and 3 of section 19” with “by the Authority”;

(2) by replacing subparagraph 2 of the first paragraph with the following:

“(2) he has passed the examination prescribed by the Authority to demonstrate that he has the required competencies to comply with the legislation applicable to pursuing activities as a representative. If the candidate passed this examination outside Québec, he must furnish the Authority with a document confirming that he passed this examination;

(3) by replacing the words “surrenders or does not renew” in the third paragraph with the words “has surrendered or has not renewed”.

25. Section 55 of the Regulation is amended:

(1) by deleting the words “under paragraph 4 of section 13” in the first paragraph;

(2) by deleting the third paragraph.

26. The Regulation is amended by inserting the following after section 55:

“**55.0.1.** The candidate must submit, in support of his application, any information as well as any document attesting to the information contained in the form. He must also, at the request of the Authority, attach documents

confirming that he has the degree of honesty considered necessary to pursue activities as a representative and those concerning his integrity and solvency.”.

27. Section 63 of the Regulation is replaced by the following:

“**63.** The Authority renews the certificate of a representative who has submitted an application to that effect and who satisfies the conditions prescribed under paragraphs 5 and 6 of section 13.”.

28. Sections 67 and 68 of the Regulation are revoked.

29. Schedule 1 of the Regulation is revoked.

30. Notwithstanding the second paragraph of section 25 of the Regulation respecting the issuance and renewal of representatives’ certificates (chapter D-9.2, r. 7), in the insurance of persons sector or group insurance of persons sector or a class of these sectors, any examination passed before 1 January 2016 and in respect of which the Authority has granted an equivalence, based on the concordance table available on its website, remains valid for a period of 2 years as of the date the candidate passed the examination.

31. Any candidate in the insurance of persons sector or the group insurance of persons sector or a class of these sectors who has not passed the prescribed examination pertaining to the pursuit of activities as a representative by 31 December 2015, must, as of 1 January 2016, complete the necessary minimum qualifications prescribed under section 14 of the Regulation respecting the issuance and renewal of representatives’ certificates (chapter D-9.2, r. 7).

32. This Regulation comes into force on 1 January 2016.

102316

M.O., 2015

Order of the Minister of Finance dated 24 September 2015

An Act respecting the Agence du revenu du Québec
(chapter A-7.003)

Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec

THE MINISTER OF FINANCE,

CONSIDERING the first paragraph of section 40 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), which provides that, with respect to the functions and powers conferred on the Minister, a deed, document or writing binds the Minister or the Agence du revenu du Québec, or may be attributed to them, only if it is signed by the Minister, the president and chief executive officer, a vice-president or another employee of the Agence du revenu du Québec, but in the latter case, only to the extent determined by a regulation of the Minister;

CONSIDERING the second paragraph of section 40 of the Act respecting the Agence du revenu du Québec, which provides that the regulation of the Minister may allow that a facsimile of the signature of a person mentioned in the first paragraph of the section be affixed on the documents specified in the regulation and that the facsimile has the same force as the signature itself;

CONSIDERING the third paragraph of section 40 of the Act respecting the Agence du revenu du Québec, which provides that the regulation comes into force on the date it is made or on any later date specified in the regulation and is published in the *Gazette officielle du Québec*;

CONSIDERING the fourth paragraph of section 40 of the Act respecting the Agence du revenu du Québec, which provides that the regulation may also apply to a period prior to its publication;

CONSIDERING that it is expedient to amend the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1) to update the delegations of signing authority to take into consideration the transfer to the Minister of responsibilities relating to the application of the Mining Tax Act (chapter I-0.4) and changes to the administrative structure of the Agence du revenu du Québec;

CONSIDERING that, under paragraph 1 of section 3 of the Regulations Act (chapter R-18.1), that Act does not apply to this Regulation;

CONSIDERING that it is expedient to make the Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec, attached to this Order, is hereby made.

Québec, 24 September 2015

CARLOS LEITÃO,
Minister of Finance

Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec

An Act respecting the Agence du revenu du Québec (chapter A-7.003, s. 40)

1. 1. The Regulation respecting the signing of certain deeds, documents and writings of the Agence du revenu du Québec (chapter A-7.003, r. 1) is amended by replacing the heading of Title I.1 of Book II by the following:

“DIRECTION GÉNÉRALE DES ENQUÊTES, DE L’INSPECTION ET DES POURSUITES PÉNALES”.

2. Subsection 1 has effect from 8 September 2014.

2. Section 47 is amended by replacing “49 and 50” in paragraph 1 by “49 to 50”.

3. Section 48 is amended by replacing “49 and 50” in paragraph 1 by “49 to 50”.

4. Section 49 is amended in the first paragraph

(1) by replacing subparagraph 1 by the following:

“(1) the provisions referred to in sections 49.1 and 50;”;

(2) by striking out “12.0.3.1, 12.1,” in subparagraph 2.

5. The following is inserted after section 49:

“**49.1.** An administration technician who is governed by the collective labour agreement for public servants is authorized to sign the documents required for the purposes of sections 12.0.3.1 and 12.1 of the Tax Administration Act (chapter A-6.002).”.

6. 1. Section 51.2 is amended by inserting “350.0.5,” after “324.11,” in paragraph 9.

2. Subsection 1 has effect from 1 January 2013.

7. 1. Section 55 is amended by inserting the following after paragraph 2:

“(2.1) section 36.1 of the Mining Tax Act (chapter I-0.4);”.

2. Subsection 1 has effect from 1 September 2015.

8. 1. Section 56 is amended by inserting the following after paragraph 1:

“(1.1) section 2 of the Mining Tax Act (chapter I-0.4);”.

2. Subsection 1 has effect from 1 September 2015.

9. Sections 66.6 to 66.11 are revoked.

10. The following is inserted after section 66.11:

“**66.12.** The director of the Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of

(1) the provisions referred to in the first paragraph of sections 66.13, 66.15 and 66.16 and section 66.17; and

(2) section 39 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of the holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.13. A service head at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of

(1) the provisions referred to in the first paragraph of sections 66.15 and 66.16 and section 66.17; and

(2) sections 21 and 30, the first paragraph of section 39 in relation to a formal demand other than that sent to an advocate or notary, section 71 in relation to a request for information, other than a request for an information file referred to in section 71.0.2, and section 86 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.14. A higher complexity tax audit officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of the provisions referred to in the first paragraph of sections 66.15 and 66.16 and section 66.17.

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act (chapter A-6.002).

66.15. A tax adviser who is governed by the collective labour agreement for professionals and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in section 66.17; and
- (2) sections 36 and 94.1 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.16. A computer and administrative processes analyst who is governed by the collective labour agreement for professionals and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in section 66.17;
- (2) section 94.1 of the Tax Administration Act (chapter A-6.002); and
- (3) section 1029.8.116.18 of the Taxation Act (chapter I-3).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.17. A tax audit officer or an information officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 1 is authorized to sign the documents required for the purposes of

- (1) sections 31, 42 and 58.1 of the Tax Administration Act (chapter A-6.002);
- (2) section 1029.8.116.28 of the Taxation Act (chapter I-3); and

- (3) section 36 of the Shelter Allowance Program for the elderly and families established under an order in council made under sections 3 and 3.1 of the Act respecting the Société d'habitation du Québec (chapter S-8), except in relation to a notice of determination, notice of redetermination or notice of revision.

66.18. The director of the Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in the first paragraph of sections 66.19, 66.21 and 66.22 and section 66.23; and
- (2) section 39 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of the holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.19. A service head at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in the first paragraph of sections 66.21 and 66.22 and section 66.23;
- (2) sections 21 and 30, the first paragraph of section 39 in relation to a formal demand other than that sent to an advocate or notary, section 71 in relation to a request for information, other than a request for an information file referred to in section 71.0.2, and section 86 of the Tax Administration Act (chapter A-6.002); and

(3) sections 895, 895.0.1, 898.1 and 898.2 of the Taxation Act (chapter I-3).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.20. A higher complexity tax audit officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of the provisions referred to in the first paragraph of sections 66.21 and 66.22 and section 66.23.

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act (chapter A-6.002).

66.21. A tax adviser who is governed by the collective labour agreement for professionals and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in section 66.23; and
- (2) sections 36 and 94.1 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.22. A computer and administrative processes analyst who is governed by the collective labour agreement for professionals and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in section 66.23;
- (2) section 94.1 of the Tax Administration Act (chapter A-6.002); and
- (3) section 1029.8.116.18 of the Taxation Act (chapter I-3).

A facsimile of the signature of a holder of the position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.

66.23. A tax audit officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction du Centre des relations avec la clientèle des programmes sociofiscaux 2 is authorized to sign the documents required for the purposes of

- (1) sections 31, 42 and 58.1 of the Tax Administration Act (chapter A-6.002);

- (2) section 1029.8.116.28 of the Taxation Act (chapter I-3); and

- (3) sections 29, 30, 37 and 38 of the Shelter Allowance Program for the elderly and families established under an order in council made under sections 3 and 3.1 of the Act respecting the Société d'habitation du Québec (chapter S-8), except in relation to a notice of determination, notice of redetermination or notice of revision.”

11. 1. The following is inserted before section 70.1:

“**70.0.1.** The senior director of tax audit of individuals (Québec) is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in sections 70.0.2 to 70.0.4 and the first paragraph of sections 70.2 to 70.7;

- (2) section 17.4.1 of the Tax Administration Act (chapter A-6.002); and

- (3) section 681 of the Act respecting the Québec sales tax (chapter T-0.1).

70.0.2. The director of tax audit 4 at the Direction principale du contrôle fiscal des particuliers (Québec) is authorized to sign the documents required for the purposes of

- (1) the provisions referred to in sections 70.0.3 and 70.0.4;

- (2) sections 15.3, 15.3.0.1, 17, 17.2 to 17.4, 21, 36.1 and 39, section 71 in relation to a request for information, other than a request for an information file referred to in section 71.0.2, and sections 86 and 94.1 of the Tax Administration Act (chapter A-6.002);

- (3) section 9.2 of the Companies Act (chapter C-38);

- (4) sections 6.1.1, 6.2, 6.3 and 6.7 of the Tobacco Tax Act (chapter I-2);

- (5) subparagraph *e* of the second paragraph of section 725.1.2 of the Taxation Act (chapter I-3);

(6) section 64 of the Act respecting the legal publicity of enterprises (chapter P-44.1);

(7) sections 17 and 365 of the Business Corporations Act (chapter S-31.1);

(8) sections 16 and 23.1, paragraph *h* of section 27.1 and sections 27.1.1, 27.2, 27.3, 27.7, 50.0.6, 50.0.9 and 50.0.10 of the Fuel Tax Act (chapter T-1); and

(9) paragraph *f* of section 27.1R1 of the Regulation respecting the application of the Fuel Tax Act (chapter T-1, r. 1).

70.0.3. A service head at the Direction du contrôle fiscal 4 in the Direction principale du contrôle fiscal des particuliers (Québec) is authorized to sign the documents required for the purposes of

(1) the provision referred to in section 70.0.4;

(2) sections 17.5 to 17.6, 17.9.1, 30, 30.1, 31, 31.1, 34, 35, 35.5, 35.6 and 36, the first paragraph of section 39 in relation to a formal demand other than that sent to an advocate or notary, and section 58.1 of the Tax Administration Act (chapter A-6.002);

(3) article 66 of the Code of Penal Procedure (chapter C-25.1);

(4) sections 7.10, 7.12, 13.3 and 13.3.1 of the Tobacco Tax Act (chapter I-2);

(5) paragraph *f* of subsection 2 of section 1000 and section 1001 of the Taxation Act (chapter I-3);

(6) sections 56, 202, 416 and 416.1, subparagraph 3 of the second paragraph of section 434 and sections 458.6, 473.3, 475, 476, 477, 494, 495, 498 and 505 of the Act respecting the Québec sales tax (chapter T-0.1); and

(7) sections 14.1, 33, 35, 36, 39, 40 and 53 of the Fuel Tax Act (chapter T-1).

70.0.4. A financial management officer who is governed by the collective labour agreement for professionals and who carries out duties at the Direction du contrôle fiscal 4 in the Direction principale du contrôle fiscal des particuliers (Québec) is authorized to sign the documents required for the purposes of article 2631 of the Civil Code.”

2. Subsection 1 has effect from 1 April 2015.

12. 1. Section 70.1 is amended by replacing “A senior director of tax audit of individuals” in the first paragraph by “The senior director of tax audit of individuals (Montréal)”.

2. Subsection 1 has effect from 1 April 2015.

13. 1. Section 70.2 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**70.2.** Subject to section 70.0.2, a director of tax audit is authorized to sign the documents required for the purposes of”.

2. Subsection 1 has effect from 1 April 2015.

14. 1. Section 70.5 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**70.5.** Subject to section 70.0.3, a service head of tax audit is authorized to sign the documents required for the purposes of”.

2. Subsection 1 has effect from 1 April 2015.

15. 1. Section 70.6 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**70.6.** Subject to section 70.0.4, a financial management officer who is governed by the collective labour agreement for professionals, a tax audit officer or an information officer who is governed by the collective labour agreement for public servants and who carries out duties in a tax audit service is authorized to sign the documents required for the purposes of”.

2. Subsection 1 has effect from 1 April 2015.

16. Section 70.7 is amended by replacing subparagraph 2 of the first paragraph by the following:

“(2) the first paragraph of section 6.3, paragraph *c* of section 21.4.10, paragraph *b* and subparagraph *i* of paragraphs *c* and *d* of the first paragraph of section 21.4.11, sections 84.1, 85 and 98, the second paragraph of section 647, section 776.49 and section 1029.8.61.63 of the Taxation Act (chapter I-3).”.

17. 1. Section 75 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “Code of Penal Procedure,” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

18. Section 78 is amended by replacing “, 350.16,” in subparagraph 9 of the first paragraph by “and 350.16, paragraph 2 of section 370.12, sections”.

19. Section 79 is replaced by the following:

“**79.** A financial management officer (expert level), a financial management officer (emeritus level), a socioeconomic research and planning officer (expert level) or a socioeconomic research and planning officer (emeritus level) who is governed by the collective labour agreement for professionals or a higher complexity tax audit officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction de la vérification des taxes is authorized to sign the documents required for the purposes of the provisions referred to in section 80.”

20. Section 80 is amended by inserting “or a socioeconomic research and planning officer” after “financial management officer” in the part preceding subparagraph 1 of the first paragraph.

21. 1. Section 81 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “(chapter A-6.002),” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

22. 1. Section 82 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “Tax Administration Act,” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

23. 1. Section 83 is amended by inserting “sections 2 and 36.1 of the Mining Tax Act (chapter I-0.4),” after “notary,” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

24. 1. Section 84 is amended by inserting “sections 2 and 36.1 of the Mining Tax Act (chapter I-0.4),” after “notary,” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

25. 1. Section 85 is amended

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

“**85.** A financial management officer (expert level), a financial management officer (emeritus level), a socioeconomic research and planning officer (expert level) or

a socioeconomic research and planning officer (emeritus level) who is governed by the collective labour agreement for professionals or a higher complexity tax audit officer who is governed by the collective labour agreement for public servants and who carries out duties at the Direction de la vérification des crédits d’impôt, the Direction de la vérification des impôts or the Direction de la vérification des retenues à la source is authorized to sign the documents required for the purposes of the provisions referred to in the first paragraph of sections 85.1 and 86.”;

(2) by inserting “section 2 of the Mining Tax Act (chapter I-0.4) and” after “for the purposes of” in the second paragraph.

2. Paragraph 2 of subsection 1 has effect from 1 September 2015.

26. 1. Section 85.1 is amended

(1) by inserting “or a socioeconomic research and planning officer” after “financial management officer” in the part preceding subparagraph 1 of the first paragraph;

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

“(1.1) section 26.0.3 of the Mining Tax Act (chapter I-0.4);”;

(3) by replacing “and of sections” in the second paragraph by “, section 2 of the Mining Tax Act and sections”.

2. Paragraphs 2 and 3 of subsection 1 have effect from 1 September 2015.

27. 1. Section 86 is amended

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

“(1.1) sections 2, 6.1, 6.2, 7 and 36.1 of the Mining Tax Act (chapter I-0.4);”;

(2) by inserting “, section 2 of the Mining Tax Act” after “notary” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

28. 1. Section 86.1 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “(chapter C-25.1),” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

29. 1. Section 87 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “(chapter C-25.1),” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

30. 1. Section 89 is amended by inserting “section 36.1 of the Mining Tax Act (chapter I-0.4),” after “(chapter C-25.1),” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

31. 1. Section 95 is amended by inserting “sections 2 and 36.1 of the Mining Tax Act (chapter I-0.4),” after “notary,” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

32. 1. Section 96 is amended

(1) by inserting “14,” before “17.3” in subparagraph 2 of the first paragraph;

(2) by inserting the following after subparagraph 5 of the first paragraph:

“(5.1) sections 26.0.3 and 36.1 of the Mining Tax Act (chapter I-0.4);”;

(3) by inserting “350.0.5,” after “345,” in subparagraph 14 of the first paragraph;

(4) by inserting “sections 2 and 36.1 of the Mining Tax Act,” after “notary,” in the second paragraph.

2. Paragraphs 2 and 4 of subsection 1 have effect from 1 September 2015.

3. Paragraph 3 of subsection 1 has effect from 1 January 2013.

33. 1. Section 96.1 is amended

(1) by replacing “a tax audit officer (main class)” in the first paragraph by “a higher complexity tax audit officer”;

(2) by inserting “section 2 of the Mining Tax Act (chapter I-0.4) and” after “for the purposes of” in the second paragraph.

2. Paragraph 2 of subsection 1 has effect from 1 September 2015.

34. 1. Section 96.2 is amended by inserting “section 2 of the Mining Tax Act (chapter I-0.4), of” after “for the purposes of” in the second paragraph.

2. Subsection 1 has effect from 1 September 2015.

35. 1. Section 97 is amended

(1) by replacing “a tax audit officer (main class)” in the part preceding subparagraph 1 of the first paragraph by “a higher complexity tax audit officer”;

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

“(1.1) section 94.1 of the Tax Administration Act (chapter A-6.002);”;

(3) by inserting “section 2 of the Mining Tax Act (chapter I-0.4) and” after “for the purposes of” in the second paragraph.

2. Paragraph 3 of subsection 1 has effect from 1 September 2015.

36. 1. Section 98 is amended

(1) by replacing “, 58.1 and 94.1” in subparagraph 1 of the first paragraph by “and 58.1”;

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

“(2.1) sections 2, 6.1, 6.2 and 7 of the Mining Tax Act (chapter I-0.4);”;

(3) by inserting “section 2 of the Mining Tax Act,” after “for the purposes of” in the second paragraph.

2. Paragraphs 2 and 3 of subsection 1 have effect from 1 September 2015.

37. 1. The heading of Chapter III of Title VI of Book II is amended by striking out “ASSOCIÉE”.

2. Subsection 1 has effect from 1 April 2015.

38. 1. Section 100 is amended by striking out “associate” in the part preceding subparagraph 1 of the first paragraph.

2. Subsection 1 has effect from 1 April 2015.

39. 1. Section 101 is amended by striking out “regional” in the part preceding subparagraph 1 of the first paragraph.

2. Subsection 1 has effect from 1 April 2015.

40. 1. Section 102 is amended

(1) by striking out “regional” in the part preceding subparagraph 1 of the first paragraph;

(2) by inserting the following after subparagraph 4 of the first paragraph:

“(4.1) sections 26.0.3 and 36.1 of the Mining Tax Act (chapter I-0.4);”;

(3) by inserting “section 2 of the Mining Tax Act,” after “Code of Penal Procedure,” in the second paragraph.

2. Paragraph 1 of subsection 1 has effect from 1 April 2015.

3. Paragraphs 2 and 3 of subsection 1 have effect from 1 September 2015.

41. 1. Section 103 is amended

(1) by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**103.** A socioeconomic research and planning officer who is governed by the collective labour agreement for professionals or a tax audit officer, an information officer or an office clerk who is governed by the collective labour agreement for public servants and who carries out duties in one of the business client relations directorates is authorized to sign the documents required for the purposes of”;

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

“(2.1) sections 2, 6.1, 6.2 and 7 of the Mining Tax Act (chapter I-0.4);”;

(3) by inserting “section 2 of the Mining Tax Act,” after “Tax Administration Act,” in the second paragraph.

2. Paragraph 1 of subsection 1 has effect from 1 April 2015. Despite the foregoing, where section 103 applies before the date of publication of this Regulation in the *Gazette officielle du Québec*, it must be read by replacing “socioeconomic research and planning” in the part preceding subparagraph 1 of the first paragraph by “tax research”.

3. Paragraphs 2 and 3 of subsection 1 have effect from 1 September 2015.

42. The following is inserted after section 103:

“**CHAPTER IV**
DIRECTION PRINCIPALE DU SOUTIEN
OPÉRATIONNEL ET DU DÉVELOPPEMENT DES
COMPÉTENCES

103.1. The senior director of operational support and skills development, the director of business client relations activities support or a service head at the Direction du soutien aux activités de relations avec la clientèle des entreprises is authorized to sign the documents required for the purposes of

(1) the provisions referred to in the first paragraph of section 103.2; and

(2) sections 17.5, 17.5.1, 21, 30.1, 31.1 and 71 of the Tax Administration Act (chapter A-6.002) in relation to a request for information, other than a request for an information file referred to in section 71.0.2 of that Act.

103.2. A socioeconomic research and planning officer who is governed by the collective labour agreement for professionals or a tax audit officer, an information officer or an office clerk who is governed by the collective labour agreement for public servants and who carries out duties at the Direction du soutien aux activités de relations avec la clientèle des entreprises is authorized to sign the documents required for the purposes of sections 30, 31, 58.1 and 94.1 of the Tax Administration Act (chapter A-6.002).

A facsimile of the signature of a holder of a position referred to in the first paragraph may be affixed to the documents required for the purposes of section 94.1 of the Tax Administration Act.”

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

102305

Draft Regulations

Draft Regulation

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

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Private seniors' residence — Certification

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the certification of private seniors' residences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces 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). To that effect, just as the regulation it replaces, the draft Regulation determines the categories of private seniors' residences and defines the services that may be offered therein. It provides health and social criteria to be complied with by operators of private seniors' residences in order to be certified, including the minimum supervision thresholds in a residence and the training required from persons working in a residence. It also provides the operating standards to be complied with by operators of private seniors' residences, in particular to ensure the health and safety of residents, as well as the information that must be included in a resident's file. Lastly, it identifies the provisions of the Regulation a contravention of which constitutes an offence.

Further information may be obtained by contacting Élise Paquette, Director, Direction de la certification des résidences privées pour aînés, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, Québec (Québec) G1S 2M1; telephone: 418 266-6893; fax: 418 266-2243; email: elise.paquette@msss.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

Regulation respecting the certification of private seniors' residence

An Act respecting health services and social services (chapter S-4.2, ss. 346.0.1, 346.0.3, 346.0.6, 346.0.7, 346.0.20 and 346.20.1)

An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2, s. 46, 2nd par.)

CHAPTER I GENERAL

DIVISION I SCOPE AND INTERPRETATION

1. A private seniors' residence belongs to one or a number of the following categories:

(1) category 1, composed of any private seniors' residence offering, in addition to the leasing of rooms or apartments, various services included in at least 2 of the following categories of services: meal services, security services, recreation services or domestic help services except, in the latter case, medication distribution;

(2) category 2, composed of any private seniors' residence offering, in addition to the leasing of rooms or apartments, various services included in at least 2 of the following categories of services: meal services, security services, recreation services or domestic help services including, in the latter case, medication distribution;

(3) category 3, composed of any private seniors' residence offering, in addition to the leasing of rooms or apartments, various services included in at least 2 of the following categories of services: meal services, security services, recreation services, domestic help services or personal assistance services, including at least 1 service in the latter category;

(4) category 4, composed of any private seniors' residence offering, in addition to the leasing of rooms or apartments, various services included in at least 2 of the following categories of services: meal services, security services, recreation services, domestic help services, personal assistance services or nursing care, including at least 1 service in the latter category.

Category 1 and category 2 residences offer services for independent elderly persons and category 3 and category 4 residences offer services for semi-independent elderly persons.

2. For the purposes of the second paragraph of section 346.0.1 of the Act respecting health services and social services (chapter S-4.2) and this Regulation,

(1) “domestic help services” means any of the following services:

- (a) housekeeping services in rental units;
- (b) laundry services for clothing and bedding;
- (c) medication distribution;

(2) “personal assistance services” means any of the following services:

(a) feeding, personal hygiene, dressing and bathing assistance services;

(b) the other assistance services for daily activities the provision of which is not the subject of legislative or regulatory provisions;

(c) the administration of medication in accordance with the first paragraph of section 25;

(3) “recreation services” means organized recreation or entertainment services to promote socialization provided in the residence by the operator or by a residents’ committee, in particular in the form of physical, mental, social or creative activities;

(4) “meal services” means the supply or availability, in the residence and on a regular basis, of one or more meals; the fact, for an operator, of suspending on an occasional or repeated basis the supply or availability of that service does not deprive the service of its regular character;

(5) “security services” means the full-time presence in a residence or, as the case may be, the availability of a staff member providing supervision or responding to calls from a call-for-help system offered to residents pursuant to section 15;

(6) “nursing care” means care provided in a resident’s rental unit in the course of the professional activities that nurses and nursing assistants are authorized to exercise under an Act or regulation, and the care provided during the exercise of such activities by any other person authorized to exercise them under an Act or regulation.

3. A private seniors’ residence offering services in more than one category provided for in this Regulation in separate units or on separate floors is subject to the respective requirements of those categories in each unit or on each floor concerned. If services of various categories are not offered separately, the private seniors’ residence is subject to the requirements of the highest category.

In addition to the services provided for in section 1 in respect of each of their categories, categories 2, 3 and 4 residences may also put at the disposal of residents an ambulatory health service, which consists in keeping a room where one or a number of authorized professionals are available to receive a resident who wishes to consult on an occasional basis for a particular health problem or its follow-up.

4. This Regulation and sections 346.0.1 to 346.0.21 of the Act do not apply to the operator of a private seniors’ residence housing exclusively less than 6 persons who are related to the operator by blood, marriage, civil union or de facto union.

5. Sections 3, 15, 37, 39, 40, 50 and the second paragraph of section 53 do not apply to the operator of a private seniors’ residence housing less than 6 residents.

6. Section 3, the second paragraph of section 39, section 40 and the second paragraph of section 53 do not apply to the operator of a private seniors’ residence housing 6 residents or more but counting 9 rental units or less.

Section 15 does not apply to the operator of such a residence in category 1.

DIVISION II REGISTER

7. In addition to the information provided for in the third paragraph of section 346.0.1 of the Act, an integrated health and social services centre must collect and update the following information for the purposes of constituting and keeping the register of private seniors’ residences:

(1) the name and address of the residence and its opening date;

(2) the name and address of the operator and, in the case of a legal person or partnership, its name, mode of constitution and the business number assigned by the enterprise registrar in accordance with the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) the name and address of the shareholders or, as the case may be, partners;

(4) the date on which the operator took possession of the residence;

(5) where applicable, the names and addresses of the other private seniors' residences held by the operator;

(6) where applicable, the name of the associations representing private seniors' residences of which the operator is a member;

(7) the total number of rental units in the residence, specifying whether they are rooms or apartments;

(8) the number of residents in each of the determined age groups;

(9) whether or not there are care units in the residence;

(10) whether or not there is an ambulatory health service in the residence;

(11) where applicable, for each work shift, the number of staff members in charge of providing personal assistance services, the number of nurses and nursing assistants present in the residence and the total number of staff members present in the residence.

The integrated centre must also collect and update the following information on the building for the purposes of the register under the third paragraph of section 346.0.1 of the Act:

(1) the number of floors in the residence and the type of elevator with which it is equipped, if any;

(2) the type of construction of the building;

(3) the characteristics of the basement and its use;

(4) whether or not there is an access ramp to the building;

(5) whether or not the residence is equipped with a sprinkler system and the drinking water supply source;

(6) whether or not there are hot water mixing valves and detection and alarm equipment;

(7) the presence of another electric power supply source.

8. In addition to the words "private seniors' residence" provided for in section 346.0.20.1 of the Act, a congregate residential facility may not be operated under a name including the words listed in Schedule I if the operator does not hold a temporary certificate of compliance or a certificate of compliance.

Likewise, the operator of such a facility may not use a logo or another sign that could lead to believe that the facility is operated as a private seniors' residence if the operator does not hold a certificate of compliance or a temporary certificate of compliance.

CHAPTER II OPERATION OF A PRIVATE SENIORS' RESIDENCE

DIVISION I GENERAL

9. The operator of a private seniors' residence must make sure that all the provisions of this Regulation are complied with in the residence.

More specifically, the operator must make sure that the residents and their close relatives are treated with courtesy, fairness and understanding. Furthermore, to ensure the health and safety of residents, the operator must make sure that the residence and the land on which it is situated are maintained and kept in a good condition. The foregoing also applies to the appliances and equipment required to provide care and personal assistance services, which must also be used in a safe and adequate manner.

The operator must, on request by the body recognized by the Minister under the second paragraph of section 346.0.4.1 of the Act or by a person authorized to carry out an inspection in accordance with section 346.0.9 of the Act, provide any document attesting that the provisions of this Regulation are complied with, within no more than 48 hours.

DIVISION II TEMPORARY CERTIFICATE OF COMPLIANCE

10. In addition to the conditions set out in the Act, every person or partnership applying for a temporary certificate of compliance must meet the following conditions:

(1) neither the person or partnership, nor any officer of the residence, may have held a temporary certificate of compliance or a certificate of compliance that, in the year prior to the application, was revoked or was not renewed pursuant to section 346.0.11 of the Act;

(2) neither the person or partnership, nor any officer of the residence, may, in the year prior to the application, have been refused the issue of a certificate of compliance pursuant to the Act;

(3) neither the person or partnership, nor any officer of the residence, may, in the year prior to the application, have been found guilty of an offence under section 531.1 of the Act.

For the purposes of the first paragraph, a legal person one of the directors of which or whose chief officer acts or has already acted as officer or director of a legal person that does not meet the conditions provided for in any of subparagraphs 1 to 3 of the first paragraph or that would not meet them if it still existed must demonstrate to the integrated health and social services centre that it will take the measures necessary for ensuring compliance with this Regulation.

11. Every person or partnership applying for a temporary certificate of compliance must provide the integrated health and social services centre with the following information and documents:

(1) the name and contact information of the applicant and the officers of the residence;

(2) the address where the applicant wishes to receive correspondence, if different from the address provided for the applicant under subparagraph 1;

(3) the name and address of the residence for which the application is made;

(4) where applicable, the name of any residence for which the applicant holds or has held a temporary certificate of compliance or a certificate of compliance;

(5) where applicable, a copy of the registration declaration filed in the enterprise register pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1) and the business number assigned to the applicant;

(6) the category or categories of private seniors' residence that the applicant intends to operate;

(7) a description of the target clientele, of all the services offered in the residence and their cost, and the residence's capacity for providing services and receiving persons with a disability;

(8) the number of rental units planned for the residence, specified in terms of rooms and apartments;

(9) a written declaration by the applicant, in the case of a natural person, and by each officer of the residence and, where applicable, by each director, stating that they are aware of all the relevant provisions of the Act and the provisions of this Regulation and that they undertake to comply or ensure compliance with those provisions from the beginning of the period of validity of the temporary certificate of compliance;

(10) a written declaration by the applicant and by each officer of the residence and, where applicable, by each director, who is, or has been, charged with or convicted

of an indictable or other offence, unless, in the case of a conviction, a pardon has been obtained, along with all the information required for the verification of the declaration by a police force and written consent, from each person concerned, to the verification and to the disclosure of the results of the verification to the integrated centre by the police force;

(11) an attestation from the municipality where the residence will be situated confirming that the project does not violate any zoning by-law;

(12) an attestation from a professional, such as an architect or engineer, confirming that the construction of the building or of the part thereof that will shelter the residence is compliant for the planned use.

In addition, where the application is made by a legal person or a partnership, the applicant must provide

(1) a certified copy of its constituting act or partnership agreement, as the case may be;

(2) a copy of the initial declaration filed in the enterprise register under the Act respecting the legal publicity of enterprises; and

(3) a certified copy of the resolution authorizing the application.

A copy of the declaration and consent provided for in subparagraph 10 of the first paragraph must be kept for 5 years following the departure of the person concerned by the declaration or consent.

DIVISION III HEALTH AND SOCIAL CRITERIA FOR CERTIFICATION

§1. General

12. The operator of a private seniors' residence must, in order to obtain a certificate of compliance, comply with the health and social criteria provided for in this Division that apply to the operator's residence.

13. Before entering into a lease with a person wishing to become a resident, the operator of a private seniors' residence must identify, using the document referred to in section 37, the services, if any, that the person wishes to receive from the operator. The operator must then enter into a written lease using, as the case may be, the forms prescribed by paragraph 4 or paragraph 5 of section 1 of the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter R-8.1, r. 3). In every case, the operator must also use the form prescribed by section 2 of that Regulation.

The operator of a private seniors' residence must offer and maintain all the services listed in the lease and the appendix to the lease for the full term of the lease without increasing the cost or decreasing the provision of the services.

The operator must also maintain in the residence, at all times, sufficient staff to respond adequately to the services agreed upon and to the commitments made to residents under the leases entered into under the first paragraph.

14. The operator of a private seniors' residence must take and maintain liability insurance coverage in a sufficient amount to cover any claim resulting from the operator's general civil or professional liability, the minimum amounts of which are provided for in Schedule II.

If the operator is a legal person, the operator must also take and maintain insurance coverage concerning the liability of the residence's directors and officers, where applicable.

§2. Residents' health and safety

15. 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 person of full age responsible for taking action in case of emergency and for ensuring access inside the residence by the emergency services.

The call-for-help system may be fixed or mobile. If it is fixed, it must be usable in each of the private bathrooms or washrooms of the resident's room or dwelling, as well as in each shared bathroom or washroom of the residence. A fixed call-for-help system must also be accessible from the resident's bed.

The resident or the resident's representative may refuse in writing the use of a mobile call-for-help system, where applicable.

A document expressing a refusal pursuant to this section must be filed in the resident's file kept pursuant to section 57.

16. Subject to the application of the second paragraph of section 346.0.7 of the Act or of any other legislative or regulatory provision requiring the presence of a greater number of persons in a residence, the operator of a private seniors' residence must ensure supervision in the residence, in accordance with sections 17 to 20, according to the category to which the residence belongs and the number of rental units offered for lease.

17. In the case of a category 1 private seniors' residence comprising 49 rental units or less, the operator must adopt measures intended to make sure that a person of full age may be reached at all times and without delay in case of emergency. That person may be a staff member, a resident, a supervising lessee or a volunteer of the residence. Those measures must be approved by the board of directors of the operator, where applicable.

The operator of such a residence must make sure that the person ensuring supervision has the necessary skills to carry out such duties.

In the case of a category 1 residence comprising 50 to 199 rental units, at least 1 person of full age who is a staff member must be present at all times in the residence to ensure supervision. In the case of a residence of 200 rental units or more, that minimum number is increased to 2 persons.

Every person available or present in the residence to ensure supervision pursuant to this section must hold the attestations referred to in subparagraphs 1 and 2 of the first paragraph of section 28.

18. In the case of a category 2 private seniors' residence comprising 199 rental units or less, at least 1 person of full age who is a staff member must be present at all times in the residence to ensure supervision. For a residence of 200 rental units or more, that minimum number is increased to 2 persons.

Every person present in the residence to ensure supervision pursuant to the first paragraph must hold the attestations referred to in subparagraphs 1 and 2 of the first paragraph of section 28.

19. In the case of a category 3 private seniors' residence comprising 99 rental units or less, at least 1 person of full age who is a staff member must be present at all times in the residence to ensure supervision. That person must hold the attestations referred to in section 28. The person must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section, including, in the case of the document in subparagraph 2 of the first paragraph, the elements mentioned in subparagraphs 1 and 2 of the third paragraph of that section.

Despite the foregoing, in the case of a residence comprising 9 rental units or less, the operator may, for discontinuous periods of less than 12 hours, have the supervision in the residence provided by a person of full age, other than a resident, insofar as that person holds the attestations referred to in subparagraphs 1 and 2 of the first paragraph of section 28.

In the case of a category 3 residence comprising from 100 to 199 rental units, at least 2 persons of full age who are staff members must be present at all times in the residence to ensure supervision, including 1 person holding the attestations referred to in subparagraphs 1 and 2 of the first paragraph of section 28. The other person must hold the attestations referred to in section 28. The persons must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section, including, for the document referred to in subparagraph 2 of that first paragraph, the elements mentioned in subparagraphs 1 and 2 of the third paragraph of that section.

In the case of a residence comprising 200 rental units or more, at least 3 persons of full age who are staff members must be present at all times in the residence to ensure supervision, including 1 person holding the attestations referred to in subparagraphs 1 and 2 of the first paragraph of section 28. The other 2 persons must hold the attestations referred to in section 28. The persons must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section, including, for the document referred to in subparagraph 2 of that first paragraph, the elements mentioned in subparagraphs 1 and 2 of the third paragraph of that section.

20. In the case of a category 4 private seniors' residence comprising 49 rental units or less, at least 1 person of full age who is a staff member must be present at all times in the residence to ensure supervision. That number is increased to 2 for a residence from 50 to 99 rental units, 3 for a residence from 100 to 199 rental units and 4 for a residence of 200 rental units or more.

Every person who ensures supervision pursuant to this section must hold the attestations referred to in section 28. The person must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of that section, including, for the document referred to in subparagraph 2 of that first paragraph, the elements mentioned in subparagraphs 1 and 2 of the third paragraph of that section.

21. The operator of a private seniors' residence must establish a fire safety plan, in particular taking into account section 45, and keep it up-to-date.

The fire safety plan must contain, as a minimum,

(1) a list of the residents, specifying for each the measures to be taken to ensure they are evacuated to a safe place;

(2) the telephone numbers of the persons who must be alerted in the event of a fire in order to provide housing for the residents; and

(3) where applicable, the names and contact information of all organizations, establishments institutions or individuals that have undertaken to provide assistance in the event of an evacuation of the residence and to take charge of the persons evacuated, along with a copy of the agreements signed.

A copy of the plan must be kept in an accessible place determined by the fire safety service of the municipality where the residence is situated.

Every staff member and every person in charge of ensuring supervision in the residence must be informed, upon taking office and thereafter every year, of the content of the plan and of the specific tasks they are to perform in the event of an evacuation and they must be able to perform them.

22. The operator of a private seniors' residence must establish procedures to be followed by the residence's staff in case of danger to the life or integrity of a resident, the death or unexplained absence of a resident, and a heat wave advisory issued by the competent authorities. The procedures must include at least the actions provided for in Schedule III. The operator must also establish procedures to prevent infections in the residence and measures to be taken when a resident shows signs of an infectious disease.

The operator must inform the staff members of the procedures referred to in the first paragraph.

23. The operator of a category 1 or 2 private seniors' residence may not accept an elderly person who, before arriving at the residence, has a cognitive disorder that makes constant supervision necessary, unless the supervision is provided by a third person that does not act on behalf or at the request of the operator.

24. The operator of a category 3 or 4 private seniors' residence must take all the measures necessary to prevent residents prone to wandering from leaving the residence or its grounds, including the installation of a security device that allows, in such a case, to alert a staff member and the establishment of a procedure intended for staff members regarding their course of action in the event of an alert.

The operator must also complete an information sheet, with residents prone to wandering or the resident's representative, if applicable, describing the resident's general profile and physical characteristics, and accompanied by a recent photograph.

Once completed, the information sheet must be kept in the file referred to in section 57.

25. In a category 3 or 4 private seniors' residence, prescribed ready-to-administer medications must be administered in accordance with section 39.8 of the Professional Code (chapter C-26) or a regulation made pursuant to section 39.9 of the Code.

In addition, in a category 4 private residence, the invasive care involved in assistance with activities of daily living that is required on a sustained basis for the maintenance of health must be provided in accordance with section 39.7 of the Professional Code (chapter C-26) or a regulation made pursuant to section 39.9 of the Code.

26. The operator of a category 2, 3 or 4 private seniors' residence must implement, for staff members, a procedure regarding the medications prescribed to residents and prepared by a professional authorized to do so, including

(1) the measures to be taken upon the arrival and departure of a resident to whom medications have been prescribed;

(2) the storage, conservation, distribution or administration measures for medications prescribed to residents; and

(3) measures for the management of outdated medications or medications no longer needed by residents.

The operator must designate, from among the staff members, a person in charge of the application of the procedure provided for in the first paragraph.

The person in charge must establish a list of the persons authorized to distribute and administer medications during each work shift. The person in charge must also make sure

(1) that the authorized person distributing or administering a medication verifies the resident's identity and ensures that the medications given or administered are in fact intended for the resident;

(2) that the medications prescribed to each resident are clearly identified and stored in a placed under lock and key and, if required, refrigerated; and

(3) that an incident or accident in relation to the distribution or administration of a medication to a resident be reported in the register of incidents and accidents provided for in section 50.

§3. *Persons working in the residence*

27. For the purposes of this Regulation, a care attendant is any person, including the operator if applicable, who, in performing duties in the residence, intervenes directly with residents to provide assistance, support or aid, except a volunteer or any member of a professional order in the field of health.

28. Every care attendant must, not later than 1 year after beginning work, hold the attestations of completion issued by the persons or organizations listed in Schedule IV confirming that the person has successfully completed training on each of the following subjects:

- (1) cardiopulmonary resuscitation;
- (2) standard first aid;
- (3) the safe movement of persons.

For the subjects referred to in subparagraphs 1 and 2 of the first paragraph, the training must enable the acquisition of the skills listed in that Schedule.

Thereafter, every care attendant is required to keep the attestations up-to-date.

29. Every care attendant must, not later than 1 year after beginning work,

(1) hold a vocational education diploma awarded by the Ministère de l'Éducation, de l'Enseignement supérieur et de la Recherche in the fields of assistance in health care facilities or home care assistance;

(2) subject to the third paragraph, have received from a school board, or through a school board, care attendant training and hold an official document issued by the school board certifying competency in

(a) identifying the responsibilities and obligations of a care attendant and behaving and intervening in a manner consistent with professional ethics with regard to residents' rights;

(b) identifying the needs of elderly persons, recognizing the physical and physiological changes associated with normal aging, and taking into account the functional consequences of vision and hearing problems and expression problems such as aphasia, as well as their impact on those needs, in particular as part of the activities of daily living; and

(c) applying basic practices to prevent infection and contamination; or

(3) hold from a school board a document confirming that

(a) the care attendant has completed a number of courses equivalent to 1 year of full-time studies in a program leading to the title of nurse or nursing assistant; or

(b) the care attendant has 3 or more years of full-time experience in providing support, aid, assistance or supervision in direct interventions, acquired over the last 60 months and obtained as

i. a beneficiary care attendant or equivalent in a community organization or private seniors' residence;

ii. a beneficiary care attendant in an institution or intermediate resource, or as the person responsible for an intermediate resource or family-type resource, provided the resource housed elderly persons and the care attendant performed tasks in the resource that involved providing assistance and support services; or

iii. a family and social auxiliary or a home care auxiliary in an institution operating a local community service centre or rehabilitation centre, or in a social economy enterprise.

For the purposes of subparagraph 3 of the first paragraph, 1 year of full-time experience corresponds to 1,664 hours of paid work.

In the case of a category 3 or 4 residence, the document provided for in subparagraph 2 of the first paragraph must also confirm that the care attendant has the following complementary skills:

(1) applying basic care procedures, in particular as part of the activities of daily living;

(2) taking into account the functional consequences of illness, physical and mental disability and cognitive impairment and their impact on the needs of the elderly person, in particular as part of the activities of daily living.

30. The staff members of a private seniors' 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.

The foregoing also applies to volunteers working in the residence on a regular basis or who, as part of their duties, are required to come in contact directly with the residents.

31. Every person wishing to join the staff of a private seniors' residence or to work there as a volunteer in accordance with the second paragraph of section 30

must, before beginning work, provide the operator with a declaration concerning any charge or conviction referred to in the first paragraph of that section unless, in the case of a conviction, a pardon has been obtained.

The declaration must contain all the information necessary for verification and include written consent to the verification and to the disclosure of the results of the verification to the operator.

The operator must have the accuracy of the declaration referred to in the first paragraph verified before the staff member or volunteer begins work.

However, the operator may hire a person as staff member subject to the verification of the person's judicial record if the person has declared no judicial record and insofar as the hiring is necessary to maintain sufficient staff on the premises to adequately meet the needs of the residents and the commitments made in their respect in the leases entered into under section 13.

32. The verification of a judicial record referred to in section 31 must be repeated when

(1) a staff member or a volunteer referred to in the second paragraph of section 30 is charged with or convicted of an indictable or other offence; or

(2) the operator or the integrated health and social services centre so requires.

Similarly, when a new director or officer is appointed, the operator must, before that person takes office, provide the integrated centre with the declaration and consent of the director or officer, as described in subparagraph 10 of the first paragraph of section 11.

33. The operator of a private seniors' residence must, without delay, inform the integrated health and social services centre of any indictment for an indictable or other offence brought against the operator or one of the directors or officers, and of any conviction for such offence pronounced against the operator or one of the directors or officers.

34. The operator of a private seniors' residence providing services to the residents through subcontractors or who uses the services of third persons to fill the operator's needs for personnel, in particular the services of a placement agency, must obtain from the subcontractors or other third persons the guarantee that the persons that could be chosen to work in the residence have not been charged with or convicted of an indictable or other offence. The operator must also obtain from any subcontractor or other third person the guarantee that a person who has been

charged with or convicted of an indictable or other offence related to the abilities and conduct required to work in the residence will not work in the residence, unless, in the case of a conviction, a pardon has been obtained.

The operator must also obtain from the subcontractors or other third persons referred to in the first paragraph the guarantee that the persons chosen to work in the residence as care attendants hold the attestations referred to in section 28. The operator must also obtain from the subcontractors and third persons the guarantee that those persons hold a diploma referred to in subparagraph 1 of the first paragraph of section 29 or have obtained the document confirming that they hold the document certifying competency provided for in subparagraph 2 of the first paragraph of section 29 and, where applicable, the third paragraph of section 29, or the document referred to in subparagraph 3 of the first paragraph of section 29.

DIVISION IV OPERATING STANDARDS

§1. *General*

35. The operator of a private seniors' residence must, in the course of operating the residence, comply with the standards provided for in this Division that are applicable. Failing that, the provisions of section 346.0.11 of the Act apply.

36. The operator of a private seniors' residence must adopt and enforce a code ethics, for the residence's directors, staff members, volunteers and any other person working in the residence, setting out expected practices and behaviour toward residents and their close relatives and specifying, as a minimum,

(1) the right to be treated with courtesy, fairness and understanding in the respect of their dignity, autonomy and needs;

(2) the right to information and freedom of expression;

(3) the right to confidentiality and discretion; and

(4) the prohibition preventing the operator, staff members, volunteers and any other person working in the residence from accepting donations or bequests from a resident made while the resident is or was housed at the residence, or, subject to the second paragraph, from soliciting residents in any way.

In the case of a private seniors' residence constituted for non-profit purposes or as a cooperative under a statute of Québec, the code of ethics may provide that residents may be solicited for purposes determined by the board of directors.

The persons subject to the code of ethics must undertake, in writing, to comply with the code of ethics. The undertaking made by a staff member or a volunteer referred to in the first paragraph of section 17 must be placed in the file kept pursuant to section 58.

The operator must post the code of ethics visibly, in a place accessible to the residents.

37. The operator of a private seniors' residence must, before signing a lease, give a prospective resident, or the prospective resident's representative, if applicable, a document drafted in simple and clear terms specifying

(1) all the services provided in the residence, with their cost;

(2) the conditions on which persons with a disability may be admitted and the accommodation capacity for such persons;

(3) the operating rules for the residence;

(4) the fact that any resident may file a complaint with the integrated health and social services centre of the territory where the residence is situated concerning the services that the resident received or ought to have received from the residence; and

(5) the fact that every resident must insure his or her personal property.

In the case of a category 1 or 2 residence, the document referred to in the first paragraph must also indicate the fact that the operator does not provide personal assistance services or nursing care.

The operator gives to the resident or, where applicable, his or her representative the code of ethics adopted under the first paragraph of section 36.

38. The operator of a private seniors' residence must allow the residents to receive visits from visitors at all times.

The operator must ensure that the layout of the residence allows visits to take place in a way that respect the residents' privacy.

39. To promote the socialization of residents and to prevent their isolation, the operator of a private seniors' residence must offer them various activities, including organized recreation and entertainment activities that are varied and adapted to the client profile for the residence.

The operator must post visibly a schedule of recreational activities in a place accessible to the residents, for consultation by residents and close relatives.

40. The operator of a private seniors' residence must, for all new staff members, draw up and apply a reception and job induction program to familiarize them with their new work environment and the tasks inherent to their duties.

§2. Residents' health and safety

41. The operator of a private seniors' residence must sign an agreement with the integrated health and social services centre in the territory where the residence is situated setting out how health services and social services will be dispensed to the residents by that institution, undertakings made by the institution and the operator in that respect and any other modality concerning their cooperation.

In the case of a category 3 or 4 residence, the agreement must also establish the manner in which sections 39.7 and 39.8 of the Professional Code (chapter C-26) are to apply or, as the case may be, the manner in which the provisions of a regulation made under section 39.9 of the Code are to apply.

42. The operator of a private seniors' residence must allow health or social services professionals chosen by the residents and employees of an institution to have access to residents at all times, in particular to assess their psychosocial needs, monitor their state of health or provide care or services.

43. Professional activities carried out in a residence, within the framework of the services provided by the operator, must be carried out by members in good standing of the professional order concerned or by persons who, even if they are not members of the professional order concerned, are authorized to carry out such activities pursuant to an Act or a regulation.

44. The operator of a private seniors' residence must inform the residents that they are entitled to address a complaint concerning the services that the resident received or ought to have received from the residence, directly to the local service quality and complaints commissioner of the integrated health and social services centre of the territory where the residence is situated.

The operator must make available, in a place accessible to residents and their visitors, the information about the exercise of the right and the information they need to file a complaint.

45. The operator of a private seniors' residence must ensure the health and safety of residents by offering and maintaining a living environment that complies with the provisions of any Act or regulation, including a municipal by-law, that are applicable to the operator or residence, in particular any standards in matters of hygiene, sanitation, construction, building, food products or safety, including fire safety.

An operator that offers services through subcontractors must ensure that they comply with the applicable legislative and regulatory provisions.

The operator must keep in the residence, for at least 5 years, the orders, remedial notices or other documents issued to the operator by any authority in charge of applying any applicable legislative or regulatory provisions, as well as proof showing that the operator has complied with them by taking the appropriate remedial action, where applicable.

46. The operator of a private seniors' residence must, taking into account the type of clientele residing there and the risk associated with it, store in a secure storage space all household cleaning materials. The operator must also take the measures necessary to ensure that any flammable, toxic or explosive product is not accessible to residents.

47. Every private seniors' residence must have mobile first aid kits in good condition and readily accessible by staff members and volunteers.

The content of the kits must be adapted to the number and types of residents, in particular as regards the nature and quantity of the items included in the kit.

48. The operator of a category 2, 3 or 4 private seniors' residence must promote and encourage the residents' autonomy by favouring the self-administration of medications by the residents.

The operator must make sure that residents who self-administer their medications keep them safely in their room or dwelling so that they are not easily accessible to the other residents.

49. The operator of a private seniors' residence may not offer, sell or put at the disposal of a resident any medication, whether or not the medication may be sold by anyone under the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12).

In addition, subject to subparagraph 2 of the third paragraph of section 26, no medication of a resident may be kept outside the resident's room or dwelling.

50. To prevent, correct or reduce the frequency of situations creating a risk, the operator must establish a reporting procedure for known incidents and accidents that occur in the residence and involve a resident.

The procedure must include, as a minimum,

(1) the keeping of a register to record the names of witnesses, the time and place of the incident or accident, a description of the facts observed, the circumstances of an incident or accident and, where applicable, the immediate consequences for the resident;

(2) the means used by the operator to prevent the occurrence of other incidents or accidents; and

(3) the obligation to disclose every accident to the resident, his or her representative, where applicable, and, if the resident consents, to the person to be contacted in case of emergency, as well as the rules to be followed for such disclosure.

Following an accident, the information in subparagraph 1 of the first paragraph must be filed in the resident's file provided for in section 57.

For the purposes of this Regulation,

(1) "accident" means an action or situation in which a risk is realized that has, or could have, consequences for the state of health or well-being of a resident, staff member, professional or third person;

(2) "incident" means an action or situation that has no consequences for the health or well-being of a resident, staff member, professional or third person but that has an unusual outcome and could, in other circumstances, have had consequences.

51. The operator of a private seniors' residence must, with the resident's consent or, where applicable, that of his or her representative, notify the integrated health and social services centre of the territory where the residence is situated when the operator notices that

(1) a resident is behaving unusually or unexpectedly in a way that may harm the resident or another person;

(2) a resident shows a loss of cognitive autonomy associated with behavioral disorders;

(3) a state of health that presents a risk for a resident's safety in case of emergency or that requires care or services beyond the services offered by the operator.

The mechanism for giving notice to the integrated health and social services centre must be agreed upon between them in the agreement entered into pursuant to section 41.

A notice given pursuant to this section must be filed in the resident's file provided for in section 57.

52. The operator of a private seniors' residence may, with the consent of a resident or a person who wishes to become one, proceed with or request the identification of a loss of autonomy of the resident or person, in order to determine if their state of health may require care or services beyond the services offered by the operator or to enable the resident or person to determine the care and services required by his or her condition. Such identification must be conducted using the tool for the identification of persons with decreasing autonomy Prisma-7.

The operator may also, in the same manner and for the same purposes, proceed with or request an assessment of the autonomy of such a resident or person. Such assessment must be conducted using the functional autonomy measurement system (*système de mesure de l'autonomie fonctionnelle* (SMAF)) by a professional authorized to do so.

Only the tools referred to in the first and second paragraphs may be used to conduct such identification or assessment. The result thereof must be filed in the resident's file kept pursuant to section 57.

Should a resident decide to require additional services following an assessment made under the second paragraph, the new needs identified and services chosen must be the subject of an amendment to the lease and be communicated to the residence's staff members, in particular to care attendants.

53. The operator of a private seniors' residence who provides meal services for the residents must offer varied menus that conform to Canada's Food Guide, published by Health Canada, and are adapted to the specific nutritional needs of elderly persons.

The operator must update and post visibly a list of menus in a place accessible to the residents for consultation by residents and close relatives. However, the operator may modify the menu of a posted meal provided that the residents are so informed the day before the day the meal is to be served.

The operator must keep a record of the meals served for verification purposes.

54. The operator of a private seniors' residence may only use control measures involving force, isolation or mechanical means on a resident in an emergency situation and as a last resort, to protect the resident or another person from a serious and imminent danger of injury. Subject to the second paragraph of section 55, control measures may only be applied when alternative measures have been ineffective in reducing the danger. In addition, control measures may only be applied temporarily and in exceptional cases, in the least constraining way possible.

The operator may not use any chemical substance as a control measure.

55. When alternative control measures are applied to reduce the danger, the operator must

(1) advise without delay the resident's representative, if applicable, and the person to be contacted in case of emergency. If that person cannot be reached in time, the operator must notify a close relative;

(2) ask the integrated health and social services centre to assess the resident's condition; and

(3) ensure that the following information is recorded in the resident's file:

(a) the date and time of the intervention;

(b) the alternative measures applied, the reason for applying the measures, and their effectiveness; and

(c) the name of the persons who have been informed of the situation, the date and time when they were informed, and the information provided to them.

When exceptionally, considering the seriousness of the danger and emergency, alternative control measures may not be used to reduce the danger, the operator must ensure that the reasons for which the measures were rejected are recorded in the resident's file.

56. The operator of a private seniors' residence who applies control measures in accordance with the first paragraph of section 54 must

(1) notify without delay the persons referred to in subparagraph 1 of the first paragraph of section 55;

(2) immediately ask the integrated health and social services of the territory where the residence is situated to assess the condition of the resident without delay and to identify and implement appropriate measures to ensure the resident's safety; and

(3) ensure that the following information are recorded in the resident's file, in addition to the information listed in subparagraphs *a* and *c* of subparagraph 3 of the first paragraph of section 55:

(a) the measures applied, the reason for applying the measures, and the place and duration of their application; and

(b) the measures taken to ensure the resident's safety, including supervision measures, and the resident's reaction to the measures.

§3. Keeping of files and confidentiality of information

57. The operator of a private seniors' residence must keep a file for each resident containing, in particular,

(1) the resident's name and date of birth;

(2) the name and contact information of a person to be contacted in case of emergency;

(3) where applicable, the name and contact information of the resident's representative and a description of the acts that the representative is authorized to perform for the resident; and

(4) a copy of the lease, including Schedule 6, signed with the resident or, as the case may be, the resident's representative.

In addition to the information provided for in the first paragraph, the operator of a category 2, 3, or 4 residence must enter into the resident's file

(1) a description of the resident's health problems and specific needs, including any allergies, or other particulars that must be taken into account in case of emergency and in the services offered to the resident in the residence;

(2) the distribution procedure for the resident's medications, where applicable;

(3) the name and contact information of the resident's attending physician, where applicable; and

(4) the name and contact information of the resident's pharmacist, where applicable.

The operator of a private seniors' residence must also include in the file, in accordance with this Regulation,

(1) the resident's consent obtained by the operator for each disclosure of personal information concerning the resident;

(2) the resident's written refusal provided for in the third paragraph of section 15;

(3) the resident's information sheet provided for in the second paragraph of section 24;

(4) a copy of any accident report concerning the resident made under the third paragraph of section 50;

(5) a record of any disclosure concerning the resident made under subparagraph 3 of the second paragraph of section 50;

(6) the indication that a notice provided for in section 51 has been given, where applicable;

(7) the result of the identification of the loss of autonomy or of the assessment of the resident's autonomy made in accordance with section 52; and

(8) the information provided for in subparagraph 3 of the first paragraph of sections 55 and 56 regarding the application on the resident of a control or alternative measure.

If a person refuses to provide information required under this section, the operator must have the person sign a declaration to that effect. The declaration must be kept in the file.

In order to comply with the provisions of the first paragraph of section 60, an operator may keep the elements provided for in subparagraphs 1 to 4 of the first paragraph in a separate physical file.

58. The operator of a private seniors' residence must keep a file for each staff member containing, as a minimum,

(1) a description of the tasks to be performed;

(2) proof that the staff member holds the attestations and diploma or one of the documents required under sections 28 and 29;

(3) in the case of a professional, the number of the professional's permit and annual proof of the professional's registration on the roll of the professional order concerned;

(4) a copy of the declaration and consent provided for in section 31 and the result of the verifications made in respect of the declarations referred to in that section;

(5) the undertaking provided for in the third paragraph of section 34; and

(6) the undertaking provided for in the third paragraph of section 36.

The operator of a residence referred to in the first paragraph of section 17 must also keep a file for each volunteer ensuring supervision pursuant to that paragraph. The file must contain

(1) proof that the volunteer holds the attestations provided for in the fourth paragraph of section 17;

(2) a copy of the declaration and consent provided for in section 31 and the result of the verifications made in respect of the declarations referred to in that section; and

(3) the undertaking provided for in the third paragraph of section 36.

59. The files referred to in sections 57 and 58 must be quickly accessible in case of emergency or upon request by a person authorized to consult them.

60. The operator of a private seniors' residence must protect the confidentiality of the personal information held pursuant to this Regulation and give access to them only in accordance with the Act respecting the protection of personal information in the private sector (chapter P-39.1).

The operator must keep the file of a resident for at least 5 years after the departure or death of the resident and the file of a staff member or a volunteer referred to in the first paragraph of section 17 for at least 5 years after his or her departure from the residence.

CHAPTER III RENEWAL AND TRANSFER

61. As soon as the integrated health and social services centre starts the renewal process of his or her certificate of compliance, the operator of a private seniors' residence must provide the centre with the documents and information listed in subparagraphs 1 to 10 and 12 of the first paragraph of section 11 and the second paragraph of that section, if applicable, except for documents and information previously provided to the integrated centre if the operator certifies that they are still complete and accurate. That exception does not apply to the declarations referred to in subparagraphs 9 and 10 of the first paragraph of that section.

The operator must also provide the integrated centre with any information it requires concerning compliance with the conditions set out in section 10 and complete the form for self-assessment of compliance with the conditions of the Act respecting health services and social services and of this Regulation provided by the centre.

62. Every person who, in accordance with section 346.0.20 of the Act, requests from an integrated health and social services centre permission to become the transferee of the rights conferred by a temporary certificate of compliance or a certificate of compliance must meet the conditions set out in section 10 and provide the documents and information listed in section 11, except those listed in subparagraph 11 of the first paragraph of that section.

CHAPTER IV OTHER APPLICATION

63. For the purposes of this Regulation, a reference to an integrated health and social services centre is, if applicable, a reference to the Centre régional de santé et de services sociaux de la Baie-James.

CHAPTER V OFFENCES

64. A contravention of any provision of the second paragraph of section 8, section 9, the third paragraph of section 11, sections 13 to 15, 21 to 24, the first and second paragraphs of section 26, sections 33 and 34, the first, second and fourth paragraphs of section 36, sections 37 to 42, 44 to 46, 47, the first paragraph of section 49, sections 50 to 56, the first, second and third paragraphs of section 57 and sections 58 to 60 constitutes an offence.

A contravention by the operator of the provisions of the first paragraph of section 9 with respect to compliance with any provision of sections 17 to 20, 25, the third paragraph of section 26, sections 28 to 32, the third paragraph of section 36, section 43 and the second paragraph of section 49 also constitutes an offence.

CHAPTER VI TRANSITIONAL AND FINAL

65. Despite section 29, a care attendant who, on (*insert the date preceding the date of coming into force of this Regulation*), is a staff member of a private seniors' residence, has until (*insert the date occurring one year after the date of coming into force of this Regulation*) to complete his or her training and to comply with the provisions of that section.

66. This Regulation replaces 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).

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

SCHEDULE I (s. 8)

Residential centre for seniors or for the elderly

Retirement centre for seniors or for the elderly

Long-term care centre for seniors or for the elderly

Living centre for seniors or for the elderly

Centre for seniors or for the elderly

Private housing and residential establishment for seniors or for the elderly

Home for seniors or for the elderly

Foster home for seniors or for the elderly

Evolutionary housing for the retired, for seniors or for the elderly

Asylum for seniors or for the elderly

Retirement home for seniors or for the elderly

Residential home for seniors or for the elderly

Residence for seniors or for the elderly

Residence for the aged

SCHEDULE II (s. 14)

1. For every residence, regardless of the category, general civil liability coverage of at least

— Residence with 1 to 9 rooms or apartments: \$2,000,000;

— Residence with 10 to 50 rooms or apartments: \$3,000,000;

— Residence with 51 to 100 rooms or apartments: \$5,000,000;

— Residence with more than 100 rooms or apartments: \$8,000,000.

2. For every category 1 residence, professional liability coverage of at least \$500,000.

3. For every category 2 residence, professional liability coverage of at least \$1,000,000.

4. For every category 3 or category 4 residence, professional liability coverage of at least \$2,000,000.

SCHEDULE III

(s. 22)

1. Procedure to follow if the life or physical integrity of a resident is in danger:

- (1) ensure the resident's safety and provide first aid;
- (2) call the emergency 911 service and provide all relevant information concerning the emergency;
- (3) notify the resident's representative, if applicable, and the person to be contacted in case of emergency identified in the resident's file kept pursuant to section 57;
- (4) prepare the information required by the ambulance technicians;
- (5) record in the resident's file, kept pursuant to section 57, a description of the circumstances and facts of the event;
- (6) notify the person responsible at the residence of the situation and nature of the emergency.

2. Procedure to follow in the event of a resident's death:

- (1) call the emergency 911 service immediately;
- (2) give the authorities all the required information and follow the instructions of the emergency services;
- (3) notify the resident's representative, if applicable, and the person to be contacted in case of emergency.

3. Procedure to follow if a resident is absent without reason:

- (1) question staff members about possible reasons for the resident's absence and places where the resident may possibly be found;
- (2) inspect all rooms in the residence, the grounds and the surrounding area;
- (3) notify the resident's representative, if applicable, and the person to be contacted in case of emergency, and ask them about places where the resident may possibly be found;
- (4) call the emergency 911 service;

(5) give the police the information sheet referred to in the second paragraph of section 24;

(6) notify the resident's representative, if applicable, the person to be contacted in case of emergency and the police if the resident is found;

(7) complete the incident or accident report referred to in section 50;

(8) take all necessary measures, working with the resident, the resident's close relatives and, if the person is prone to wandering, the integrated health and social services centre in the territory where the residence is situated, to prevent a reoccurrence of the event.

4. Procedure to follow in the event of a heat wave advisory:

- (1) place a sufficient number of fans in the common areas and, where possible, in rooms and apartments;
- (2) distribute cold drinks and water frequently during the day;
- (3) cancel all physical activities in the recreation schedule and advise residents to stay in the shade or go outside late in the day, wear a hat and apply sunscreen;
- (4) ask residents to stay in air-conditioned rooms in the residence, where applicable;
- (5) early in the morning, close windows, drapes and blinds, especially on the sides of the building exposed to the sun, and keep them closed until the outdoor temperature drops;
- (6) when the outdoor temperature drops, open windows as wide as possible to create drafts;
- (7) conduct inspection tours of rooms and apartments;
- (8) call the emergency 911 service if any residents have symptoms that point to a deterioration in their physical condition.

SCHEDULE IV

(s. 28)

1. For cardiopulmonary resuscitation and standard first aid:

- St. John Ambulance;
- Heart & Stroke Foundation of Québec;

—Canadian Red Cross;

—any other organization contractually linked with the Commission de la santé et de la sécurité du travail (CSST) to provide first aid training.

The training given by those organizations must allow the acquisition of the following skills:

(a) Skills in cardiopulmonary resuscitation:

—assess properly vital functions;

—be familiar with techniques to unblock airways, apply artificial respiration and perform cardiac massage;

—be able to apply the techniques;

(b) Skills in standard first aid:

—understand the role and responsibilities of a first aid provider with regard to the legislative and regulatory provisions in force;

—know how to take charge of an emergency situation;

—recognize urgent situations and intervene appropriately while waiting for emergency services, in particular in the following situations:

—allergic reactions;

—problems related to heat or cold, such as heatstroke and hypothermia;

—poisoning;

—hemorrhaging and shock, including the prevention of blood-borne contamination;

—muscular and skeletal injuries, including prevention during convulsions;

—eye injuries;

—open wounds of medical or accidental origin, including the application of sealed compression dressings;

—medical problems such as chest pain, hypoglycemia and epilepsy.

2. Training providers accredited by the Association paritaire pour la santé et la sécurité du travail du secteur affaires sociales (ASSTSAS) are recognized for the safe movement of persons.

102313

Draft Regulation

An Act to establish the new Code of Civil Procedure (2014, chapter 1)

Basic Parental Contribution Determination Table

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the Basic Parental Contribution Determination Table, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation prescribes the table determining the combined basic child support contribution payable as of 1 January 2016 by parents on the basis of their disposable income and the number of children they have, according to the fiscal parameters for 2015. It maintains the calculation previously established by the Government in the Regulation respecting the determination of child support payments (chapter C-25, r. 6) which enables the contribution to be determined when the number of children is greater than six.

Study of the file has shown no significant impact on citizens or enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction des orientations et politiques du ministère de la Justice, at 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1, by telephone at 418 646-5580, extension 20172, by fax at 418 646-4894, or by e-mail to: annie.gauthier@justice.gouv.qc.ca

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

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the Basic Parental Contribution Determination Table

An Act to establish the new Code of Civil Procedure
(2014, chapter 1, art. 443, 2nd par.)

1. The Table determining the combined basic child support contribution payable by the parents on the basis of their disposable income and the number of children they have is the Table prescribed by Schedule I.

If the number of children is greater than 6, the contribution is determined by multiplying the difference between the amounts prescribed in the Table for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children.

2. This Regulation comes into force on the date of coming into force of the second paragraph of article 443 of the Act to establish the new Code of Civil Procedure (2014, chapter 1).

SCHEDULE I
(s. 1)
BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE
(Effective as of 1 January 2016)

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
1 - 1 000	500	500	500	500	500	500
1 001 - 2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001 - 3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001 - 4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001 - 5 000	2 500	2 500	2 500	2 500	2 500	2 500
5 001 - 6 000	2 860	3 000	3 000	3 000	3 000	3 000
6 001 - 7 000	2 920	3 500	3 500	3 500	3 500	3 500
7 001 - 8 000	2 980	4 000	4 000	4 000	4 000	4 000
8 001 - 9 000	3 020	4 500	4 500	4 500	4 500	4 500
9 001 - 10 000	3 070	4 800	5 000	5 000	5 000	5 000
10 001 - 12 000	3 220	5 000	5 920	6 000	6 000	6 000
12 001 - 14 000	3 370	5 240	6 210	7 000	7 000	7 000
14 001 - 16 000	3 550	5 480	6 560	7 620	8 000	8 000
16 001 - 18 000	3 740	5 770	6 940	8 100	9 000	9 000
18 001 - 20 000	3 950	6 080	7 350	8 640	9 910	10 000
20 001 - 22 000	4 230	6 490	7 890	9 270	10 650	11 000
22 001 - 24 000	4 490	6 900	8 400	9 870	11 390	12 000
24 001 - 26 000	4 740	7 290	8 890	10 490	12 110	13 000
26 001 - 28 000	4 960	7 580	9 340	11 070	12 820	14 000
28 001 - 30 000	5 180	7 880	9 710	11 580	13 430	15 000
30 001 - 32 000	5 360	8 120	10 100	12 090	14 040	16 000
32 001 - 34 000	5 510	8 340	10 440	12 490	14 570	16 650
34 001 - 36 000	5 710	8 570	10 760	12 940	15 120	17 300
36 001 - 38 000	5 840	8 810	11 010	13 220	15 440	17 660
38 001 - 40 000	6 020	9 000	11 250	13 520	15 780	18 020
40 001 - 42 000	6 200	9 220	11 560	13 860	16 180	18 490
42 001 - 44 000	6 390	9 490	11 840	14 190	16 540	18 890
44 001 - 46 000	6 590	9 730	12 150	14 580	16 990	19 430
46 001 - 48 000	6 780	10 040	12 510	15 020	17 520	20 020
48 001 - 50 000	6 980	10 270	12 860	15 440	18 030	20 610
50 001 - 52 000	7 180	10 530	13 210	15 900	18 560	21 250
52 001 - 54 000	7 380	10 820	13 560	16 300	19 060	21 810
54 001 - 56 000	7 560	11 070	13 910	16 780	19 620	22 460
56 001 - 58 000	7 760	11 340	14 260	17 160	20 100	23 020
58 001 - 60 000	7 950	11 580	14 590	17 590	20 610	23 600
60 001 - 62 000	8 150	11 840	14 920	18 000	21 090	24 150
62 001 - 64 000	8 320	12 090	15 270	18 440	21 610	24 790
64 001 - 66 000	8 500	12 350	15 620	18 860	22 100	25 350
66 001 - 68 000	8 710	12 570	15 900	19 250	22 580	25 930
68 001 - 70 000	8 850	12 800	16 220	19 670	23 110	26 540

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
70 001 - 72 000	9 010	13 030	16 550	20 040	23 560	27 070
72 001 - 74 000	9 170	13 250	16 860	20 450	24 070	27 660
74 001 - 76 000	9 360	13 460	17 160	20 860	24 560	28 260
76 001 - 78 000	9 470	13 620	17 380	21 140	24 890	28 650
78 001 - 80 000	9 600	13 810	17 630	21 430	25 250	29 070
80 001 - 82 000	9 710	13 950	17 820	21 690	25 560	29 440
82 001 - 84 000	9 820	14 100	18 040	21 960	25 900	29 830
84 001 - 86 000	9 990	14 250	18 250	22 210	26 210	30 190
86 001 - 88 000	10 070	14 370	18 410	22 450	26 490	30 520
88 001 - 90 000	10 140	14 500	18 560	22 630	26 690	30 770
90 001 - 92 000	10 230	14 610	18 750	22 860	27 000	31 120
92 001 - 94 000	10 320	14 730	18 890	23 050	27 200	31 360
94 001 - 96 000	10 420	14 840	19 060	23 260	27 480	31 670
96 001 - 98 000	10 480	14 940	19 170	23 440	27 680	31 950
98 001 - 100 000	10 570	15 040	19 320	23 580	27 870	32 150
100 001 - 102 000	10 650	15 130	19 460	23 770	28 110	32 430
102 001 - 104 000	10 720	15 220	19 600	23 930	28 320	32 660
104 001 - 106 000	10 790	15 320	19 720	24 120	28 520	32 910
106 001 - 108 000	10 860	15 430	19 880	24 300	28 760	33 170
108 001 - 110 000	10 930	15 510	20 020	24 470	28 960	33 410
110 001 - 112 000	11 020	15 610	20 160	24 620	29 190	33 670
112 001 - 114 000	11 090	15 690	20 310	24 810	29 420	33 920
114 001 - 116 000	11 180	15 800	20 440	24 990	29 630	34 170
116 001 - 118 000	11 260	15 900	20 590	25 150	29 850	34 440
118 001 - 120 000	11 340	15 990	20 730	25 360	30 070	34 670
120 001 - 122 000	11 400	16 090	20 860	25 510	30 280	34 930
122 001 - 124 000	11 470	16 200	21 010	25 700	30 510	35 170
124 001 - 126 000	11 540	16 280	21 120	25 830	30 710	35 400
126 001 - 128 000	11 620	16 350	21 260	25 990	30 890	35 630
128 001 - 130 000	11 670	16 440	21 370	26 120	31 060	35 830
130 001 - 132 000	11 730	16 520	21 500	26 260	31 240	36 030
132 001 - 134 000	11 780	16 580	21 590	26 420	31 420	36 230
134 001 - 136 000	11 840	16 650	21 700	26 550	31 580	36 430
136 001 - 138 000	11 920	16 720	21 820	26 670	31 770	36 630
138 001 - 140 000	11 970	16 800	21 930	26 830	31 940	36 840

Disposable Income of Parents (\$)	Basic Annual Contribution (\$)					
	Number of Children					
	1 child	2 children	3 children	4 children	5 children	6 children ⁽¹⁾
140 001 - 142 000	12 030	16 870	22 040	26 960	32 120	37 040
142 001 - 144 000	12 090	16 960	22 150	27 100	32 300	37 240
144 001 - 146 000	12 160	17 040	22 280	27 240	32 510	37 480
146 001 - 148 000	12 240	17 130	22 430	27 450	32 700	37 720
148 001 - 150 000	12 310	17 230	22 560	27 590	32 930	37 960
150 001 - 152 000	12 380	17 320	22 680	27 750	33 120	38 190
152 001 - 154 000	12 450	17 400	22 810	27 920	33 330	38 410
154 001 - 156 000	12 530	17 500	22 970	28 090	33 560	38 670
156 001 - 158 000	12 590	17 600	23 090	28 240	33 740	38 910
158 001 - 160 000	12 670	17 680	23 210	28 410	33 960	39 150
160 001 - 162 000	12 730	17 770	23 360	28 590	34 170	39 380
162 001 - 164 000	12 820	17 860	23 490	28 750	34 360	39 610
164 001 - 166 000	12 880	17 970	23 630	28 910	34 570	39 870
166 001 - 168 000	12 940	18 060	23 760	29 070	34 800	40 100
168 001 - 170 000	13 020	18 140	23 880	29 240	34 990	40 330
170 001 - 172 000	13 100	18 230	24 030	29 410	35 210	40 580
172 001 - 174 000	13 180	18 330	24 160	29 570	35 400	40 810
174 001 - 176 000	13 250	18 420	24 300	29 740	35 630	41 070
176 001 - 178 000	13 310	18 520	24 420	29 910	35 830	41 300
178 001 - 180 000	13 390	18 620	24 590	30 080	36 040	41 540
180 001 - 182 000	13 470	18 700	24 710	30 230	36 250	41 790
182 001 - 184 000	13 540	18 800	24 840	30 400	36 460	42 010
184 001 - 186 000	13 600	18 890	24 980	30 570	36 650	42 260
186 001 - 188 000	13 690	18 970	25 120	30 750	36 880	42 510
188 001 - 190 000	13 750	19 060	25 250	30 900	37 080	42 750
190 001 - 192 000	13 830	19 160	25 380	31 080	37 290	42 980
192 001 - 194 000	13 900	19 270	25 510	31 250	37 510	43 240
194 001 - 196 000	13 980	19 350	25 670	31 410	37 720	43 470
196 001 - 198 000	14 040	19 450	25 800	31 580	37 910	43 720
198 001 - 200 000	14 120	19 540	25 930	31 750	38 150	43 950
Disposable income greater than \$200,000 ⁽²⁾	14 120 plus 3.5% of excess amount	19 540 plus 4.5% of excess amount	25 930 plus 6.5% of excess amount	31 750 plus 8.0% of excess amount	38 150 plus 10.0% of excess amount	43 950 plus 11.5% of excess amount

(1) If the number of children is greater than 6, the basic parental contribution is determined by multiplying the difference between the amounts prescribed in the Table for 5 and 6 children by the number of additional children and by adding the product thus obtained to the amount prescribed for 6 children (s.1, 2nd par. of the Regulation respecting the Basic Parental Contribution Determination Table).

(2) For the part of income exceeding \$200,000, the percentage indicated is shown for information purposes only. The court may, if it deems it appropriate, fix for that part of the disposable income an amount different from the amount that would be obtained using that percentage (s.10 of the Regulation respecting the determination of child support payments (chapter C-25, r. 6)).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2016 : \$10,760

Draft Regulation

An Act to establish the new Code of Civil Procedure (2014, chapter 1)

Sales register

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the sales register, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation sets up the register of sales under judicial authority, also called the sales register.

For that purpose, the draft Regulation sets out the rules pertaining to the register, in particular as regards its storage medium for and the manner of keeping the sales register, the presentation, form and content of notices published in the register, the consultation procedures and the storage medium and schedule for preserving the notices. It also provides for a notice of amendment to amend the notices of sale where prescribed.

The draft Regulation also specifies the tariff of fees payable for the publication in the sales register of sales under judicial authority, according to whether the property concerned is movable or immovable property, and for the issue of statistical reports. It indicates the absence of fees for the publication in the register of any notice concerning a notice of sale previously published and for the consultation of the register. Lastly, it sets out adjustment rules for the fees payable.

Study of the matter has shown the following impact on the public and on enterprises:

— the draft Regulation requires the publication in the sales register of notices of sales under judicial authority, whether the sales are conducted in execution of a judgment, following seizure or as the exercise of hypothecary rights, regardless of the method of sale chosen, and of related notices prescribed by law, thereby better informing the public on those proposed sales;

— by its keeping, the sales register offers a virtual window where sales under judicial authority will reach a larger number of buyers for the benefit of creditors and debtors.

Further information may be obtained by contacting Ghislaine Montpetit, Direction des registres et de la certification, Ministère de la Justice, 1, rue Notre-Dame Est, 7^e étage, Montréal (Québec) H2Y 1B6; telephone: 514 873-3000, extension 58013; email: ghislaine.montpetit@drc.gouv.qc.ca; fax: 514 864-9774.

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

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the sales register

An Act to establish the new Code of Civil Procedure (2014, chapter 1, s. 748)

CHAPTER I SALES REGISTER

1. The register of sales under judicial authority, also called the sales register, is a public register that is computerized and accessible only through the Internet.

It contains the notices whose publication is prescribed by law in those matters, as well as the notices of amendment provided for in this Regulation.

2. The register assigns to each notice a separate number and indicates the date on which the notice is published.

CHAPTER II NOTICES

3. Every notice sent for publication must be sent by means of the application software available on the website of the register.

4. Several items of property may be the subject of a single notice, provided that they are of the same movable or immovable nature and that the method, time and place of sale are the same.

5. Every notice must indicate the court record number and the name and contact information of the person charged with the sale.

A notice related to another notice indicates the number of that notice.

6. The notice of sale, in addition to the information provided for in section 5, describes the property to be sold, indicates the names of the parties, the method of sale used and the charges and terms and conditions of the sale.

In the following cases, the notice also indicates

(1) for a notice of sale by auction: the date, time and place of the sale;

(2) for a notice of sale through a call for tenders: whether the sale is by invitation or through a public call for tenders, the instructions, the deadline for submitting a tender and, unless the tender documents are attached to the notice, the instructions to obtain the tender documents.

7. The description of the property must include an indication of its category among the categories listed in the application software.

The description may be completed by a photograph, provided that no natural person may be identified on the photograph.

8. Only the tender documents and photographs of the property may be attached to a notice.

9. Any other relevant information may be added under the heading “autres mentions utiles” provided for that purpose in the application software.

10. A stay of sale, the lifting of a stay of sale and a non-sale may be total or partial.

11. Every notice sent to the register in the exercise of a hypothecary right contains a declaration to the effect that the person conducting the sale was designated by judgment for that purpose.

12. A notice of sale may be amended by a notice of amendment indicating the changes, if any, in the following items:

- (1) the charges and terms and conditions of the sale;
- (2) the court record number;
- (3) the name of the debtor or creditor;
- (4) the property category;
- (5) the reserve price;
- (6) the photographs of the property;
- (7) the name and contact information of the person conducting the sale or those of the person to contact to obtain information on the sale;
- (8) the content of the heading “autres mentions utiles”;
- (9) the information on the submission of a tender in a notice of sale through a call for tenders.

13. The notice of completed sale indicates, in addition to the information provided for in section 5, the property concerned, the date on which the sale took place, the price and the terms and conditions of the sale.

14. A notice of completed sale may be amended by a notice of amendment indicating the changes, if any, in the following items:

- (1) whether property has been sold or not;
- (2) the sale price;
- (3) the content of the heading “autres mentions utiles”.

CHAPTER III CONSULTATION OF REGISTER

15. The register may be consulted by using the following search criteria:

- (1) a notice number;
- (2) a court record number;
- (3) a property category;
- (4) a place;
- (5) a date or period of time.

A search may also be made by using a keyword in the property descriptions.

16. Notices regarding a sale that is no longer in progress may be consulted for 6 months after the first of the following dates:

- (1) the scheduled sale date;
- (2) the date of publication of the notice of completed sale;
- (3) the date of publication of the notice of total non-sale.

17. A statistical report may be provided on request, insofar as the data is available and the computer system allows such a report to be made.

18. The register may not be used to provide to any person a list derived from a name-based search.

CHAPTER IV PRESERVATION OF REGISTER AND NOTICES

19. For archival purposes, the Minister preserves the notices of sale and other related notices for 3 years from the date of publication of the notice of completed sale or the notice of total non-sale.

20. The Minister keeps at least 1 computerized copy of the register in another safe place.

CHAPTER V MISCELLANEOUS AND FINAL

21. A notice approved by means of the application software has the same value as if it was signed by the person sending it.

22. The Minister may remove from the register any information he or she deems inappropriate, useless or irrelevant.

23. The tariff of fees relating to the register is provided in the Schedule to this Regulation.

The fees payable must be paid before the required service is rendered.

24. This Regulation comes into force on (*insert the date of coming into force of article 748 of the Code of Civil Procedure (chapter C-25.01)*).

SCHEDULE (s. 23)

1. Fees of \$90 are payable for the publication of a notice of sale of movable property.

2. Fees of \$750 are payable for the publication of a notice of sale of immovable property.

3. No fees are payable for the following services:

(a) the publication of a notice related to a notice of sale or a notice of completed sale previously published;

(b) consultation of the register.

However, fees of \$200 per application are payable for the issue of a statistical report.

4. The fees prescribed by this tariff are adjusted in accordance with section 83.3 of the Financial Administration Act (chapter A-6.001). However, the fees are not adjusted when they have been set or increased in the previous year otherwise than under that section.

The result of the adjustment is reduced to the nearest dollar where it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar where it contains a fraction of a dollar equal to or greater than \$0.50. The application of this rounding rule may not operate to decrease the fees below their pre-adjustment level.

If an adjusted amount cannot be rounded up to the nearest dollar, the annual adjustments are deferred and accumulated until the fees payable include a dollar fraction that is equal to or greater than \$0.50.

The Minister publishes the results of the adjustment in the *Gazette officielle du Québec*.

102306

Draft Regulation

An Act to establish the new Code of Civil Procedure (2014, chapter 1)

Statement by parties required for an application relating to a support obligation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the statement by parties required for an application relating to a support obligation, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation reflects the amendments made in matters of civil procedure by the Act to establish the new Code of Civil Procedure (2014, chapter 1) assented to on 21 February 2014. It prescribes the information that must be contained in the statement required under article 444 of the Act, which must be filed with the court office by each party so that a ruling may be made on support obligation.

The draft Regulation essentially repeats the information contained in the current statement provided for in the Regulation respecting the statement by parties in respect of applications relating to an obligation of support (chapter C-25, r. 5), which it replaces. The changes made by the draft Regulation clarify the information that the statement must contain and remove the obligation for parties to be sworn in respect of the information given.

Study of the file has shown no significant impact on the citizens or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9e étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20172; fax: 418 646-4894; email: annie.gauthier@justice.gouv.qc.ca

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

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the statement by parties for an application relating to a support obligation

An Act to establish the new Code of Civil Procedure (2014, chapter 1, art. 443, 2nd par., and art. 444)

- 1.** The information that must be contained in the statement by parties required under article 444 of the Act to establish the new Code of Civil Procedure (2014, chapter 1) is the information prescribed by Schedule I.
- 2.** This Regulation replaces the Regulation respecting the statement by parties in respect of applications relating to an obligation of support (chapter C-25, r. 5).
- 3.** This Regulation comes into force on the date of coming into force of the second paragraph of article 443 and article 444 of the Act to establish the new Code of Civil Procedure (2014, chapter 1) or, if those articles come into force on different dates, on the latest of those dates.

CANADA
Province of Québec
District of
File No.

SCHEDULE I (s. 1)
**STATEMENT REQUIRED UNDER ARTICLE 444
OF THE ACT TO ESTABLISH THE NEW CODE OF CIVIL PROCEDURE
(ART. 433, 2ND PAR.)**

Please complete in block letters

IDENTITY OF THE DEPONENT:

Applicant Defendant

1 Surname(s) _____ Given name(s) _____

2 Surname at birth _____

3 Sex M F 4 Language French English

5 Residential address _____
 Postal Code |_|_|_|_|_| Province _____ Country _____
 Telephone at home _____ At work _____
 Postal address (if different) _____
 Postal Code |_|_|_|_|_| Province _____ Country _____

6 Date of birth |_|_|_|_|_|_|_|_|_|_| Social insurance number |_|_|_|_|_|_|_|_|_|_|
Y Y Y Y M M D D

INFORMATION ON EMPLOYMENT AND INCOME

7 Employee Self-employed worker
 Name and address of employer _____
 Postal Code |_|_|_|_|_| Province _____ Country _____
 Remuneration _____ Language of communication French English

8 The deponent is unemployed

9 The deponent receives income security benefits File No. (CP 12) _____

10 Other income (Indicate the source and amount of each) _____

OTHER INFORMATION

11 The name at birth of the deponent's mother _____

12 Other name(s) used by the deponent _____

13 Indicate the nature and date of the application to which this statement is attached

14 If this statement accompanies an application for revision of support, indicate the date of the judgment awarding support
 |_|_|_|_|_|_|_|_|_|_| and the file No., if different _____
Y Y Y Y M M D D

INFORMATION (IF IT IS KNOWN) CONCERNING THE OTHER PARTY

15 Residential address _____

16 Telephone at home _____ At work _____

17 Date of birth |_|_|_|_|_|_|_|_|_|_| Social insurance number |_|_|_|_|_|_|_|_|_|_|
Y Y Y Y M M D D

STATEMENT

I declare that the information concerning myself is true and complete and I have signed
 at _____ on this _____ day of _____

 Signature of the deponent

(2015-09)

Draft regulation

Code of Civil Procedure
(chapter C-25.01)

Court of Québec

Notice is hereby given of the publication, pursuant to article 64 of the Code of Civil Procedure (chapter C-25.01), by the chief judge of the Court of Québec after considering the observations of the Minister of Justice, of the draft Regulation of the Court of Québec, appearing below. Considering the consultations that have taken place with the judges of the Court, and also with various stakeholders in the justice system, including the Barreau du Québec, the Chambre des notaires du Québec and the Chambre des huissiers de justice, and to ensure that the Regulation comes into force at the same time as the Act to establish the new Code of Civil Procedure (2014, c. 1), the draft Regulation may be made at any time after 2 November 2015.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the time stated to the Honourable Élisabeth Corte, Chief Judge of the Court of Québec, 300, boulevard Jean Lesage, bureau 5.15, Québec (Québec), G1K 8K6, or by e-mail to: elizabeth.corte@judex.qc.ca

THE HONOURABLE ÉLIZABETH CORTE,
Chief Judge of the Court of Québec

Regulation of the Court of Québec

Table of Contents

CHAPTER I	
GENERAL PROVISIONS	1-4
CHAPTER II	
PROVISIONS APPLICABLE TO ALL DIVISIONS OF THE COURT OF QUÉBEC	5-42
SECTION I	
ADMINISTRATION	5-8
DIVISION II	
PLEADINGS AND EXHIBITS.....	9-19
DIVISION III	
HEARINGS, ORDER AND DECORUM	20-32
DIVISION IV	
AUDIO RECORDINGS, STENOGRAPHER'S NOTES AND MINUTES	33-36

DIVISION V	
AUTHORITIES	37-40

DIVISION VI	
QUARRELSOMENESS	41-42

CHAPTER III	
PROVISIONS APPLICABLE TO CIVIL PRACTICE	43-92

DIVISION I	
GENERAL PROVISIONS	43-56

§1. <i>Record</i>	43-45
-------------------------	-------

§2. <i>Applications presented in civil practice or to a judge acting in chambers</i>	46
--	----

§3. <i>Case management and pre-trial conference</i>	47-50
--	-------

§4. <i>Readiness for trial and setting down by default</i>	51-52
--	-------

§5. <i>Taking under advisement and judgment</i>	53-56
---	-------

DIVISION II	
PROVISIONS APPLICABLE TO CASES APPEALED TO THE COURT OF QUÉBEC AND HEARD BY THE ADMINISTRATIVE AND APPEALS DIVISION	57-84

DIVISION III	
PROVISIONS APPLICABLE TO APPEALS FROM DECISIONS OF THE RÉGIE DU LOGEMENT.....	85-92

CHAPTER IV	
PROVISIONS APPLICABLE TO THE CRIMINAL AND PENAL DIVISION	93-121

DIVISION I	
CRIMINAL PROCEEDINGS.....	93-119

§1. <i>Rules of practice</i>	93
------------------------------------	----

§2. <i>Consultation and removal of a record or exhibit</i>	94-95
--	-------

§3. <i>Rolls and hearings</i>	96-102
-------------------------------------	--------

§4. <i>Motions</i>	103-106
--------------------------	---------

§5. <i>Appearance and withdrawal of a lawyer</i>	107-109
--	---------

§6. <i>Filing of a private information</i>	110-112
--	---------

§7. *Case management conference, preliminary inquiry, pre-hearing conference, and facilitation conference*..... 113-117

§8. *Itinerant court* 118-119

DIVISION II

PENAL PROCEEDINGS 120-121

CHAPTER V

PROVISIONS APPLICABLE TO THE YOUTH DIVISION 122-175

DIVISION I

IN YOUTH PROTECTION MATTERS..... 122-154

§1. *Consultation and removal of a record or exhibit*..... 122-123

§2. *Records, pleadings and exhibits*..... 124-138

§3. *Rolls and hearings*..... 139-140

§4. *Taking under advisement and judgment* 141-142

§5. *Representation by a lawyer*..... 143

§6. *Destruction des dossiers*..... 144-148

§7. *Change of district* 149

§8. *Itinerant court* 150-154

DIVISION II

MATTERS OF ADOPTION 155-161

§1. *General provision*..... 155

§2. *Records, pleadings and exhibits*..... 156-161

DIVISION III

IN MATTERS OF YOUTH CRIMINAL JUSTICE 162-172

§1. *General provision*..... 162

§2. *Records, pleadings and exhibits*..... 163-164

§3. *Rolls and hearings*..... 165

§4. *Appearance*..... 166

§5. *Applications*..... 167-170

§6. *Preparatory hearing and pre-hearing conference*..... 171

§7. *Reports* 172

DIVISION IV

IN MATTERS OF CUSTODY, EMANCIPATION, PARENTAL AUTHORITY AND TUTORSHIP..... 173-175

CHAPTER VI

FINAL PROVISIONS 176

SCHEDULE I

INDEXES AND REGISTERS

Preliminary provisions

Code of Civil Procedure
(chapter C -25.01, a. 63)

Code of Penal Procedure
(chapter C-25.1, a. 368)

An Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information
(chapter A-2.1, s. 153)

Police Act
(chapter P-13.1, s. 255)

An Act respecting the Protection of Personal Information in the Private Sector
(chapter P-39.1, s. 68)

An Act respecting the Régie du logement
(chapter R-8.1, s. 107)

Courts of Justice Act
(chapter T-16, s. 146)

Criminal Code
(R.S.C. 1985, c. C-46, ss. 482 and 482.1)

Youth Criminal Justice Act
(S.C. 2002, c. 1, s. 17)

CHAPTER I

GENERAL PROVISIONS

1. This regulation applies in all judicial districts of Québec, subject to any special rules made for the districts of Québec or Montréal and to the special rules provided for in the second paragraph.

Special rules made under the Northeastern Québec Agreement or the James Bay and Northern Quebec Agreement apply to the itinerant court in the judicial districts of Abitibi and Mingan. Such rules also apply when the court sits in an aboriginal community.

2. The object of this Regulation is to ensure, in keeping with the Code of Civil Procedure, that the procedure established by the Code is properly complied with and to ensure the proper operation of each division of the Court of Québec, and it must be applied so as to ensure proper case management and the efficient processing of cases, as part of the proper administration of justice.

3. Modification of rules and exemption from the application of a rule. In a proceeding, the judge may, in light of the particular circumstances of the case of which the judge is seized, modify a rule or exempt a party or person from the application of a rule.

4. Information technology. The terms pleading, reverse side, exhibit, expert report, transcript, register, record, document, consultation, filing, production and notification refer also, where applicable, to their technology-based versions and to technology-based access.

CHAPTER II PROVISIONS APPLICABLE TO ALL DIVISIONS OF THE COURT OF QUÉBEC

SECTION I ADMINISTRATION

5. Office hours. Court offices are open from Mondays to Fridays, except holidays, from 8:30 a.m. to 4:30 p.m., and at any other times when the court is sitting.

6. Keeping of registers, records, orders and judgments. The registers, records, orders and judgments required for the application of the Code of Civil Procedure (chapter C-25.01), the Criminal Code (R.S.C. 1985, c. C-46) and the Code of Penal Procedure (chapter C-25.1), and those required by specific Acts, must be kept in court offices in accordance with the directives of the chief judge.

The registers, records, orders and judgments required for the application of the Youth Protection Act (chapter P-34.1), the Youth Criminal Justice Act (S.C. 2002, c. 1) and the provisions on adoption in the Civil Code of Québec must be kept in court offices in accordance with the directives of the chief judge and in the manner prescribed in Schedule I.

If there is no permanent court office in a community served by the itinerant court, records are kept in the court office of the itinerant court.

7. Consultation of registers, records, orders and judgments. Subject to a legislative provision or an order made by a judge, any person may have access to the registers, records, orders and judgments of a court during court office hours.

The conditions and procedure governing access to records and the removal of an exhibit from a record are prescribed by the provisions of this Regulation specific to each division of the Court of Québec.

8. Contact information. Parties, and their lawyers or notaries, must inform the court office concerned without delay of any change in their contact information; for lawyers, a change of address made in the master file is sufficient.

Parties who are not represented, including parties involved in a small claim, must give the court office concerned their name, address and postal code, and a telephone number and e-mail address, if available, where they can be contacted. They must ensure that the information is kept up to date and inform the court office without delay of any change.

DIVISION II PLEADINGS AND EXHIBITS

9. Format and typeface. Except if exempted by the judge, all pleadings must be printed on one side only of a letter-format sheet measuring 21.5 x 28 cm (8½ x 11 inches) using Arial 12 point typeface or, in the case of a handwritten pleading, must be legibly written.

10. Reverse side. When required, the reverse side of a pleading must indicate the record number, the name of the parties, the nature of object of the pleading and, if applicable, the amount in dispute.

The lawyer or notary representing a party must indicate on the reverse side his or her name, address, postal code, telephone number, fax number, e-mail address and permanent court number.

A party who is not represented must indicate on the reverse side his or her contact information including his or her name, address, postal code, telephone number, e-mail address and fax number, if available.

11. Signature. Every pleading must be signed by the party, the party's lawyer or the party's notary. The signature may be handwritten or digital.

In proceedings for the recovery of a small claim, every pleading must be signed by the party or the party's mandatary.

12. Designation of the parties. In all pleadings, the parties retain the same order and designation as in the originating application.

13. Exhibits. Exhibits are enumerated and identified in the list of exhibits.

Each exhibit bears a number preceded by an identifying letter attributed to each party, which together constitute the classification code.

Exhibits are identified by the same classification code in all applications made during the proceeding.

The record number and the classification code appear on the front of the exhibit or on the reverse side, if there is one.

14. Expert report. With the exception of proceedings for the recovery of a small claim, a party that produces an expert report must also produce the author's curriculum vitae and, if they are claimed as legal costs, the invoice for expert's fees up to that date and for expert's fees for attending the trial and testifying.

15. Filing of pleadings. A clerk who receives a pleading numbers it, and marks upon it the date and time it was received and, if applicable, enters it in the court register.

16. Medical record. Pursuant to article 16 of the Code of Civil Procedure (chapter C-25.01), a medical record or an expert report prepared by a physician, psychologist or social worker, or any other expert report of a psychosocial nature filed in the record in a sealed envelope, is kept in the envelope and no person, except a person authorized by law, may have access to it without the permission of the court or a judge. The nature of the documents filed in a sealed envelope must be written on the envelope.

Access to such documents includes the right to make copies at the person's expense.

17. Documents in a sealed envelope. The clerk enters in the record the name and title of every person who consults a document in a sealed envelope or who requests the issue of a copy of such a document.

18. Changes to a pleading. Where a change is made to a pleading, all additions or substitutions must be underlined or indicated in the margin with a vertical stroke, and all deletions must be indicated with a dotted line between parentheses.

Where it has been ordered that changes are to be made to a pleading, a new pleading incorporating the changes must be filed in the record within the prescribed time, following the same procedure.

19. Technology-based document. When the technological environment for court business so allows, the court may, on its own initiative or at the request of a party, permit certain documents or testimony to be produced in whole or in part using technology-based media.

The technology-based document must, when the information it contains is in text form, allow key-word searches as an essential function. If there is more than one document in the same file, the documents must be accompanied by an index containing hyperlinks between the index and each document filed.

A party that files or produces a technology-based document must reveal, in addition to its essential functions, all the other functions of the document of which the party is aware, and all the other functions liable to affect the technological environment for court business.

DIVISION III HEARINGS, ORDER AND DECORUM

20. Decorum. The judge may make any order necessary to ensure the proper administration of justice, the serenity of hearings, good order, decorum, and respect for the rights of parties, their lawyers or their notaries.

Court bailiffs and special constables must ensure respect for decorum and good order. They must ensure that silence is maintained and that the people present at a hearing are suitably seated. They assist the judge in the application of this Regulation and the guidelines concerning the use of technology in the courtroom.

21. Dress. Every person present in the courtroom must be suitably dressed.

Except in civil practice, judges wear a black robe either closed in front or with a black jacket, a white shirt, collar and bands, dark clothing and appropriate footwear at all times in the courtroom.

Except in civil practice, lawyers wear a black robe closed in front with a black jacket, a white shirt, collar and bands, dark clothing and appropriate footwear at all times in the courtroom.

Male lawyers and notaries, in cases where the wearing of a robe is not required, wear trousers, a jacket, shirt and tie in plain taste and appropriate footwear, and female lawyers and notaries wear a skirt or trousers with a blouse and jacket or a plain dress with appropriate footwear.

The same rules apply to articulated students, minus the bands.

At all times, clerks, court bailiffs and other officers of the court wear a black robe with plain clothing of a dark hue. Appropriate closed footwear must be worn.

22. Hearing times. Court hearings begin at 9:30 a.m. and 2:00 p.m., unless otherwise indicated by the judge presiding over the hearing or the chief judge.

The hearings of the itinerant court begin at 9:30 a.m. and 2:00 p.m., and end at 6 p.m. from Monday to Thursday and at 12 noon on Fridays, except in exceptional circumstances.

All applications may be tried remotely by the itinerant court using any appropriate technological means, with prior authorization from the judge scheduled to preside over the court session. The use of such technology is contingent on the quality of the equipment used and its availability.

23. Calling of the roll. Parties, lawyers and notaries must be present and ready to proceed when the roll is called.

24. Conduct during the hearing. Every person who addresses the court or a witness must, unless the judge permits otherwise, rise and remain standing.

The person must show respect, courtesy and restraint towards the judge, the opposing party, and the lawyers or notaries, witnesses and court staff.

In addition, no person may enter into a discussion with anyone else, including the clerk, or consult the court record, unless the judge permits otherwise.

Unless the judge permits otherwise, the accused or a young person referred to in section 2 of the Youth Criminal Justice Act (S.C. 2002, c. 1) must rise and remain standing during the reading of the indictment or information and the pronouncement of the judgment or sentence.

25. Support for a party who is not represented. Before the hearing, a party who is not represented must take the necessary steps to obtain information on ways to assert his or her rights before the court.

A judge who considers it necessary may provide assistance to a party who is not represented, while remaining impartial.

26. Persons with a disability needing assistance. Persons with a disability needing assistance must inform the clerk as soon as possible so that appropriate measures may be taken.

If the request appears to involve too many constraints, the clerk refers it to the court.

27. Postponement and cancellation of a subpoena or summons. No case set for trial may be postponed solely by the consent of the parties or by reason of their absence. In proceedings for the recovery of a small claim, article 557 of the Code of Civil Procedure (chapter C-25.01) applies.

When a party foresees it will not be able to proceed on the date set by the court or requests the cancellation of a subpoena or summons, it must immediately notify the opposing party and the coordinating judge, associate coordinating judge or a judge designated by one of the former and present an application for that purpose.

Except with permission from one of the above judges, any application for the postponement of a case set for trial must be presented in writing, with reasons, ten days before the date set for the trial.

Prior notice of the application of three working days, excepting Saturdays, must be given to all the parties.

Notwithstanding the time limit provided for in the third paragraph, if the reasons for the postponement are known less than 10 days before the date set for the trial, the coordinating judge, the associate coordinating judge or a judge designated by one of the former may receive a written application for postponement and make a decision, ensuring that the best interests of justice are served.

When the postponement is granted, the reasons for the decision are entered in the record.

28. Opening and closing of the hearing. The persons present at a hearing must rise when the judge enters the room and remain standing until the judge is seated.

At the opening of the hearing, the court bailiff or clerk says aloud, as the case may be, “Silence. Please rise. The Court of Québec, presided over by the Honourable Judge ... is now in session” or “Silence. Please rise. The Court of Québec, presided over by the presiding justice of the peace... is now in session”.

At the opening of a hearing of the itinerant court, the court bailiff or clerk says aloud, in English, “Silence. Please rise. The Court of Québec, presided over by the Honourable Judge... is now in session” or in French as set out in the second paragraph.

Once the judge is seated, the court bailiff or clerk asks those present to be seated. At hearings of the itinerant court, the invitation to sit is made in French or in English.

When the judge leaves, the court bailiff or clerk asks those present to rise, and no person may leave his or her seat until the judge has left the room.

29. Swearing in. The clerk, in the presence of the judge, swears witnesses in by asking them to take an oath or make a solemn affirmation.

30. Interpreter. A party relying on the services of an interpreter must notify the court office without delay.

In civil cases, a party requiring the assistance of an interpreter must retain and pay for the interpreter's services, unless otherwise decided by the court.

When the court sits in an aboriginal community, an interpretation service must be available at all times in the native language of the local populations and able to ensure that their linguistic and constitutional rights are respected. The interpreters are in the exclusive service of the court and cannot act as interpreters between a lawyer or notary and a client or witness.

31. Technological devices. The use of personal technological devices is permitted in accordance with guidelines issued by the chief judge on the use of technology in courtrooms.

32. Security in courtrooms. During hearings, the security of the persons present and responsibility for the persons for whom detention or confinement in an institution has been ordered are ensured by a special constable, according to the terms and conditions agreed upon with the Ministère de la Sécurité publique.

Hearings begin when the judge considers that security is ensured.

DIVISION IV SOUND RECORDINGS, STENOGRAPHIC NOTES AND MINUTES

33. Sound recording. The clerk is required to make a sound recording of the trial. When requested by the court, the clerk sees to the operation of any other technological communications device.

When the services of a stenographer are required, the stenographer proceeds to the courtroom at the time the hearing begins and remains there until released by the judge, the parties or their lawyer or notary.

The stenographer is required to record the whole trial, including the addresses, except if exempted by the judge.

34. Testimony outside court. Any testimony given outside court is recorded in a way that allows it to be stored and reproduced.

In the event of a failure to observe decorum or good order, the stenographer may suspend the taking of testimony in order to obtain from the judge, as soon as possible, a decision on whether to continue.

Stenographic notes may be filed in "four in one" format, with an alphabetical index.

35. Transcript or copy of sound recording. When a transcript of the evidence is required by the judge, the clerk must forward it within 30 days unless the judge decides otherwise.

When a judge renders judgment at the hearing, any request for a transcript or a copy of the sound recording must be sent to the judge in order to check its accuracy.

Unless otherwise provided for or otherwise ordered by the judge, every person may obtain from the clerk, on payment of a fee, a copy of the sound recording of a trial.

In youth protection and adoption cases, except if an appeal has been filed, the sound recording of the trial and the stenographic notes cannot be copied or transcribed without authorization from the court, which sets the conditions for access and disclosure. In such cases, the clerk stores the transcript of the hearing separately from the record.

In youth criminal justice cases, the original transcript of the hearing must be filed in the record.

36. Minutes of hearing. The clerk draws up the minutes of the hearing using the form prescribed for that purpose, on which the clerk enters:

- (1) in all matters,
 - (a) the record number;
 - (b) the names of the parties;
 - (c) the presence or absence of any party;
 - (d) the names of the lawyers or notaries, their permanent court number in the case of lawyers, and the party they are representing or, if applicable, the fact that a party has declined to be represented;
 - (e) the name of the judge presiding over the hearing;

- (f) the names of the clerk and stenographer, if any;
 - (g) the courtroom number, the date and time of the beginning and end of the hearing and the tape position numbers;
 - (h) the names of the interpreters;
 - (i) the names and addresses of the witnesses, and the name of the party calling them to testify;
 - (j) the code and description of all the exhibits produced;
 - (k) any admissions;
 - (l) objections to evidence;
 - (m) the grounds for any decision made on an application for postponement;
 - (n) the conclusions of any judgment, decision or measures rendered at the hearing by the judge;
 - (o) the different stages of the proceedings with the time and, if applicable, the tape position numbers;
- (2) in the Civil Division, the minutes must also indicate the nature of the case and the amount of the claim, if any;
- (3) in the Criminal and Penal Division, the following information must also be entered:
- (a) in addition to the conclusions of any decision or order rendered at the hearing by the judge, the sentence imposed by the judge;
 - (b) any waiver of language rights and the notice concerning language rights;
- (4) in the Youth Division, the minutes of a protection case must also indicate:
- (a) the child's date of birth;
 - (b) a reference to the section of the Youth Protection Act (chapter P-34.1) on which the case is based, and the nature of the case;
- (5) In the Youth Division, the minutes of a youth criminal justice case must also indicate:
- (a) the young person's date of birth;
 - (b) a reference to the statute containing the offence the young person is alleged to have committed;

(c) a decision by the young person not to be represented, or the counsel appointed for a young person and the filing of a document of appointment;

(d) the fact that the information or indictment was read or, where applicable, the fact that the represented young person waived the right to a reading;

(e) the explanations prescribed by law concerning the possibility that the young person will be sentenced to an adult sentence or, where applicable, a statement by the young person's lawyer that the explanation has been provided;

(f) the reading of the text prescribed by law concerning the mode of trial, when the option is offered;

(g) the young person's election concerning the mode of trial;

(h) the fact that the prosecutor or young person has requested the holding of a preliminary inquiry;

(i) a statement as to whether or not an application for an adult sentence has been received;

(j) a statement as to whether or not the prosecutor has waived the option of applying for an adult sentence;

(k) the name and quality of a person who consults and, if applicable, receives copies of the exhibits and pleadings; on request, the clerk issues a certified copy;

(l) a waiver of language rights and the notice on language rights.

DIVISION V AUTHORITIES

37. Authorities. Any party may produce a book of authorities containing doctrine and case law. The relevant passages must be identified.

It is permitted to produce only the relevant excerpts of doctrine and case law, in which case the pages immediately preceding and following the excerpts or, for case law, the reference and summary of the decision or order, must be included.

Double-sided printing is permitted.

38. List of authorities. In a given matter, a list of authorities for doctrine and case law may be established by a directive of the chief judge, or agreed on by the parties with the assent of the judge. These authorities are deemed to have been produced and the parties are exempted from reproducing them.

39. Regulatory and legislative provisions. In civil cases, a represented party that invokes regulatory or legislative provisions other than those of the Civil Code of Québec, the Code of Civil Procedure (chapter C-25.01), the Constitution Act, 1982 (R.S.C., 1985, App. II, No. 44), the Charter of human rights and freedoms (chapter C-12) and the Consumer Protection Act (chapter P-40.1) must provide a copy for the judge and parties.

In criminal and penal cases, a represented party that invokes regulatory or legislative provisions other than those of the Constitution Act, 1982 (R.S.C., 1985, App. II, No. 44), the Criminal Code (R.S.C. 1985, c. C-46), the Canada Evidence Act (R.S.C., 1985, c. C-5), the Controlled Drugs and Substances Act (L.C., 1996, c. 19), the Charter of human rights and freedoms (chapter C-12), the Code of Penal Procedure (chapter C-25.1) and the Highway Safety Code (chapter C-24.2) must provide a copy for the judge and parties.

In youth protection and adoption cases, a represented party that invokes regulatory or legislative provisions other than those of the Youth Protection Act (chapter P-34.1), the Act respecting health services and social services (chapter S-4.2), the Civil Code of Québec, the Code of Civil Procedure (chapter C-25.01), the Youth Criminal Justice Act (S.C. 2000, c. 1), the Criminal Code (R.S.C. 1985, c. C-46), the Constitution Act, 1982 (R.S.C., 1985, App. II, No. 44) or the Charter of human rights and freedoms (chapter C-12) must provide a copy for the judge and parties.

In youth criminal justice cases, a represented party that invokes regulatory or legislative provisions other than those of the Constitution Act, 1982 (R.S.C., 1985, App. II, No. 44), the Civil Code of Québec, the Code of Civil Procedure (chapter C-25.01), the Youth Criminal Justice Act (S.C. 2000, c. 1), the Young Offenders Act (R.S.C., 1985, c. Y-1), the Youth Protection Act (chapter P-34.1), the Act respecting health services and social services (chapter S-4.2), the Criminal Code (R.S.C., 1985, c. C-46), the Canada Evidence Act (R.S.C., 1970, c. E-10), the Controlled Drugs and Substances Act (S.C. 1996, c. 19), the Charter of human rights and freedoms (chapter C-12), the Code of Penal Procedure (chapter C-25.1), the Highway Safety Code (chapter C-24.2), and the Contraventions Act (S.C. 1992, c. 47) must provide a copy for the judge and parties.

40. Argument plan. The judge may require the parties to produce an argument plan summarizing the arguments raised with references to the supporting evidence and authorities.

DIVISION VI QUARRELSOMENESS

41. Declaration of quarrelsomeness. The clerk must send to the Ministère de la Justice du Québec, for entry in the public register of persons found to be quarrelsome, a copy of any order prohibiting the person from introducing pleadings that have been filed in the court office, while respecting the confidentiality required by law, in particular in youth protection and adoption matters; the clerk then notifies the chief judge.

42. Application for authorization to file an application. The application for authorization to file an application must be addressed to the chief judge or the judge designated by the chief judge and filed in the court office where the order originated, and the application may be decided on the face of the documents, without a hearing.

The application for authorization must be filed with a copy of the order and the planned pleading.

The chief judge or the judge designated by the chief judge may defer the application to the court, in which case the applicant must have the planned pleading served on the parties, giving ten days' notice of presentation.

A pleading that has not received prior authorization is deemed not to exist. The clerk must refuse to receive it, or the judge must reject it, unless it is an application for authorization or a notice of appeal.

CHAPTER III PROVISIONS APPLICABLE TO CIVIL PRACTICE

DIVISION I GENERAL PROVISIONS

§1. Record

43. Consultation of a record. A paper-based record or an exhibit filed with it may be consulted only in the presence of the clerk or a person designated by the clerk.

44. Removal. A record or exhibit may be removed from the court office only at the request of or with authorization from the judge or the clerk. The clerk must require written proof of consent from the parties, which is then filed in the record.

45. Court register. When a record is forwarded to the court or the judge, an updated excerpt from the court register is filed in it and all previous excerpts are destroyed.

§2. Applications presented in civil practice or to a judge acting in chambers

46. Content. A written application presented in civil practice or to a judge acting in chambers must indicate its nature and object and a reference to the legislative or regulatory provision on which it is based.

An application presented as part of a case management conference must indicate its nature, be accompanied by everything needed for its analysis, and refer to the legislative or regulatory provision on which it is based.

§3. Case management and pre-trial conference

47. Examination of the case protocol. The case protocol is examined and the case management conference is held by the court in accordance with the directives of the chief judge.

48. Technological means. The court may, on its own initiative or at the written request of a party, hear an application using any appropriate technological means. The use of such technology is contingent on the quality of the equipment used and its availability. After examination, the judge communicates a decision to the parties.

Where applicable, the parties make representations in the judge's courtroom, in a suitably equipped room, or in the judge's chambers.

The parties and their lawyers or notaries are responsible for providing the judge's office with the contact information to be used and for being available and reachable at the time set.

At all times, a sound recording is required for conservation and reproduction purposes.

49. Examinations. The judge may authorize a pre-trial examination, an examination on an affidavit or the examination of a witness outside the presence of the court using videoconference facilities or any other means of communication, if the means proposed appears to the judge to be reliable and proportionate to the circumstances of the case, taking into account the quality of the equipment used and its availability, and the possibility for the court of apprising itself of and using the content of the examination. The judge must take into consideration, for the court, the technological environment for court business.

50. Application to set a date by priority. Every application to have a date set for a case by priority must be in writing, give reasons, and be submitted to the coordinating judge, associate coordinating judge or a judge designated by one of the former for that purpose.

The application may be made for any case and for any serious reason, including the complexity of the case or the number of witnesses.

§4. Readiness for trial and setting down by default

51. Readiness for trial. After the filing of the joint declaration, the parties must immediately notify the court of any pleading or circumstances which could modify the status of the case.

Similarly, in the event of a discontinuance, transaction or bankruptcy, the parties must notify the court office and file, without delay, a copy of the notice of bankruptcy or the declaration of evidencing the discontinuance or transaction.

52. Setting down by default. A setting down by default after a failure by a party to answer a summons, attend a case management conference without valid reason or defend the application, must indicate the nature of the case and the amount in dispute.

§5. Taking under advisement and judgment

53. Taking under advisement. Before submitting the record to the judge to take under advisement, the clerk ensures that it is complete. If the record is incomplete, the clerk must notify the lawyers or notaries or parties of the fact so that they may remedy the situation within the time set by the judge.

No case may be taken under advisement until the record has been completed, unless the judge decides otherwise.

54. Default judgment. Once evidence adduced pursuant to article 182 of the Code of Civil Procedure (chapter C-25.01) has been filed in the record, the clerk, if the special clerk does not have jurisdiction to render judgment and if the court is not sitting in the district, must forward the record to the judge who authorized the evidence or to any other judge designated by the chief judge.

55. Signed judgment on a pleading. A judgment written out and signed on a pleading presented to the judge does not need to be written out and signed again on a separate sheet, and a certified true copy of it may be issued by the clerk.

56. Incomplete trial or record. If the parties fail to complete the trial or the record within the time set by the judge when trying a case, whether contested or not, the judge may remove himself or herself from the case or render judgment on the basis of the record as constituted, or make any other order the judge considers appropriate, and notify the chief judge accordingly.

DIVISION II**PROVISIONS APPLICABLE TO CASES APPEALED TO THE COURT OF QUÉBEC AND HEARD BY THE ADMINISTRATIVE AND APPEALS DIVISION**

57. Application. This Division applies to appeals made to the Court of Québec, except appeals made under the Act respecting the Régie du logement (chapter R-8.1).

The clerk who receives the pleading forwards it to the associate coordinating judge responsible for the Administrative and Appeals Division or, outside Montréal, to the associate coordinating judge for the Civil Division.

58. Case management. Within 60 days following the filing of the notice of appeal or the judgment granting leave to appeal, the associate coordinating judge responsible for the Administrative and Appeals Division, or the judge designated by the associate coordinating judge for that purpose, contacts the parties and, if necessary, summons them to a calling of the roll and, after hearing the representations of the parties or their lawyers:

(1) decides on an appropriate means to simplify the proceeding and shorten the hearing, including the advisability of admitting some fact or document and supplying the list of authorities the parties intend to submit;

(2) establishes, where applicable, a schedule for the filing of briefs;

(3) sets the date of the hearing.

59. Special case management. When made necessary by the nature, character or complexity of a proceeding, the associate coordinating judge responsible for the Administrative and Appeals Division may, on initiative or on request, order special case management. Where applicable, that judge or a judge designated by such a judge for that purpose sees to the orderly progress of the proceeding.

60. Briefs. If the Act authorizing the appeal contains no specific provisions, the filing of briefs must comply with the provisions of this Regulation.

A paper version of the original brief must be filed at the court office of the Court of Québec, with one other copy. Briefs must be notified to the opposing party and to any impleaded party.

The copy of the brief may be in paper or electronic format. In the latter case, the copy must be sent to the associate coordinating judge responsible for the Administrative and Appeals Division in Word format, and a copy in PDF format must be sent to the other parties.

The time limits for the filing of briefs are set in a schedule submitted by the parties and approved by the associate coordinating judge responsible for the Administrative and Appeals Division or a judge designated by the associate coordinating judge for that purpose. In the absence of a schedule, briefs must be filed and notified by the appellant within three months of the notice of appeal, and within the two months following by the respondent. Any other party must file its brief within three months following notification of the appellant's brief.

61. Extension of and failure to comply with time limits. The associate coordinating judge responsible for the Administrative and Appeals Division or a judge designated by the associate coordinating judge for that purpose may extend the time limit for filing a brief if a request is made before the time limit expires.

When the law requires the filing of a brief, and where the appellant has failed to file and notify such a brief within the time limit and there is no pending request for an extension, the clerk of the Court of Québec notes the failure and issues a certificate of lapse of appeal.

62. Content of brief. The appellant's brief must include the appellant's arguments and three schedules; the respondent's brief must include the respondent's arguments and, if necessary, one or more of the appellant's schedules, with complementary information.

63. Argument. Each argument must be divided into five parts:

— Part I (*facts*): the appellant must succinctly recite the facts. The respondent may comment and relate additional facts.

— Part II (*issues in dispute*): the appellant must concisely enumerate the issues in dispute. The respondent may answer and state any other relevant issue.

— Part III (*submissions*): each party must develop its submissions, with specific reference to the content of the schedules.

— Part IV (*conclusions*): each party must state the precise conclusions it seeks.

— Part V (*authorities*): each party must prepare a list of authorities that includes a specific reference to the paragraph(s) at which they are cited.

64. Joint statement. The joint statement, if any, must be reproduced by the appellant at the beginning of Schedule III, referred to in section 66 of this Regulation.

65. Number of pages. The first four parts of the argument cannot exceed 30 pages.

66. Schedules. The appellant's brief must consist of three schedules, reproducing

— in Schedule I: the judgment or decision appealed from, including reasons and, if applicable, the previous judgment or decision submitted for judicial review or appealed to the Court of Appeal, with the minutes of the trial on the merits in first instance;

— in Schedule II:

(a) the notice of appeal (article 352 of the Code of Civil Procedure (chapter C-25.01)) and, if applicable, the application for leave to appeal (article 357 of the Code of Civil Procedure (chapter C-25.01)) and the judgment granting leave;

(b) the proceedings of the joined issue;

(c) all applicable statutory provisions, other than those of the Civil Code of Québec and the Code of Civil Procedure;

— in Schedule III: all and only those exhibits and depositions necessary for the court to decide the issues in dispute (article 372, first paragraph, of the Code of Civil Procedure (chapter C-25.01)).

67. Excerpts. Schedule III may be produced by technological means, in which case only the excerpts to which the arguments refer are produced as a paper version.

Each page of the technological version shall use the same pagination as on the paper version.

68. Final requirements. On the last page of the brief, its author must (article 99, third paragraph, Code of Civil Procedure (chapter C-25.01)):

(1) attest that the brief complies with the requirements of this Regulation;

(2) undertake to make available to any other party, at no cost, the depositions in its possession in paper or electronic format;

(3) indicate the time needed for oral argument, including the reply.

69. Incidental appeal. The content of a brief for an incidental appeal is the same as that of a brief for a principal appeal, excluding that which has already been produced in the latter.

The argument of the incidental appellant must be divided into two parts: the first, a response to the principal appellant and the second, the submissions of the incidental appellant.

The title of the brief is “Brief of respondent / incidental appellant».

70. Format. The following rules apply to the format of a brief:

(1) **Colour:** The cover page is yellow for the appellant, green for the respondent and grey for any other party;

(2) **Cover page:** The following are indicated on the cover page:

(a) the record number in appeal;

(b) the name of the court or organization whose decision or judgment is appealed from, the name of the decision maker, the date of the decision or judgment and the record number;

(c) the style of cause;

(d) the title of the brief and the party's status;

(e) the name of the author who signs the attestation;

(3) **Table of contents:** The first volume of the brief contains a general table of contents at the front, and each subsequent volume (and a volume prepared electronically) contains a table of its contents;

(4) **Pagination:** Page numbers are placed at the top of the page in the centre;

(5) **Line spacing, typeface and margins:** The text of the argument has at least one and one half spaces between the lines, except for quotations, which are single spaced and indented. For electronic text, 12-point font must be used, such as Arial 12 point or another font with no more than 12 characters every 2.5 cm, which excludes the use of Times New Roman and Garamond font. Margins must be no less than 2.5 cm;

(6) **Numbering of paragraphs:** The paragraphs of the argument must be numbered;

(7) **Printing:** The argument and Schedule I, referred to in article 66 of this Regulation, are printed on the left hand side of the volume only; the other schedules are printed on both sides;

(8) **Number of sheets:** Each volume has a maximum of 225 sheets;

(9) **Volumes:** Each volume is numbered on the cover page and its bottom edge, and makes mention of the sequence of pages it contains;

(10) **Exhibits:** All exhibits must be legibly reproduced; if illegible, a transcript must be provided. Exhibits must be reproduced in the order of their numbering. Each exhibit must be reproduced beginning on a new page with a title that includes the exhibit number, its date and nature. Photocopies of photographs are permitted only if they are clear;

(11) **Depositions:** Each deposition must begin on a new page with a title that includes the witness's name, in upper-case letters, given name and place of residence, in lower-case letters, and the following information in abbreviate form, in parentheses:

(a) the name of the party that called the witness;

(b) the stage of the trial, such as case in chief, defence, rebuttal, or a pre-trial stage;

(c) the stage of the examination, such as examination, cross-examination or re-examination;

The title of the pages that follow restates the name of the witness and the information in abbreviated form;

(12) **“Four in one” format:** Depositions may be reproduced as a paper version in “four in one” format using Arial 10 point typeface or an equivalent.

The four pages contain a maximum of 25 lines numbered on the left hand side of the page and are in vertical sequence. Each full page has only one title, corresponding to the commencement of the text.

71. Copies and notification. Seven paper versions of each brief must be produced at the court office, along with an electronic copy, if available.

The parties are notified (article 373, Code of Civil Procedure (chapter C-25.01)) by the delivery to them of two copies. The proof of notification within the time limit must be produced at the court office within two working days.

72. Non-compliance. If a brief does not comply with the foregoing requirements, the clerk, following the instructions of the judge, advises its author of the elements requiring correction and sets a time limit for filing a corrected brief; the clerk advises the other parties accordingly.

If the corrections are not made the production of the brief is refused.

73. Time limit for incidental appeal. If the principal appeal ends prematurely, the incidental appellant has three months to produce a brief.

74. Content of memorandum. The argument consists of 10 pages. Its author must attach all documents necessary for the adjudication of the appeal, such as the decision or judgment appealed from, the pleadings, the exhibits and the excerpts from depositions.

75. Number of copies of the memorandum. Five copies of the memorandum must be filed (articles 370 and 374 of the Code of Civil Procedure (chapter C-25.01)).

76. Format. The memorandum must include a title page and a table of contents and be paginated consecutively.

The provisions relating to briefs, including the final requirements, apply to memoranda, adapted as required.

77. Authorities. The book of authorities must be notified to all the other parties and be filed at the court office of the Court of Québec, in duplicate, at least 30 days before the date set for hearing the appeal or, in case of an application, at least one working day before the hearing.

78. Hearing transcript. When a transcript of the hearing in first instance is not provided by the administrative organization whose decision is appealed, the parties are responsible for providing excerpts from the stenographic notes that are relevant to the dispute.

79. Respondent. Except if a statute grants specific standing to the administrative organization whose decision is appealed, it is designated in the pleadings as the respondent.

80. Copy for administrative organization or administrative tribunal. When leave to appeal is granted or a final judgment is rendered, the court clerk sends a copy, without delay, to the respondent administrative organization or administrative tribunal and to the parties and their lawyers.

81. Access to the record. The records of cases appealed to and heard by the Administrative and Appeals Division that contain exhibits subject to a confidentiality order must be specifically labelled. The parties must notify the court office of the order made by the court of first instance whose decision is appealed to the Court of Québec.

82. Setting down for trial following leave to appeal. When a judgment granting leave to appeal also sets the appeal down for trial, the appellant must pay the applicable judicial fees to regularize the setting down for trial.

83. Placing on the roll. Under the authority of the coordinating judge or associate coordinating judge, the clerk places cases set down for trial on a special roll.

84. Provisions applicable. The provisions applicable to the Civil Division apply to this Division, adapted as required.

DIVISION III PROVISIONS APPLICABLE TO APPEALS FROM DECISIONS OF THE RÉGIE DU LOGEMENT

85. Appeals from decisions of the Régie du logement. This Division applies to appeals under sections 91 to 107 of the Act respecting the Régie du logement (chapter R-8.1).

86. Service or notification. Applications leave to appeal are served. All other pleadings relating to the appeal are notified in the manner provided for in articles 109 to 139 of the Code of Civil Procedure (chapter C-25.01).

87. Content of the application for leave to appeal. In accordance with section 92 of the Act respecting the Régie du logement (chapter R-8.1), the application for leave to appeal must set out the conclusions sought and a summary of the arguments the applicant intends to submit.

88. Judgment granting leave to appeal. The clerk must send to the Régie du logement and to the parties and their lawyers, without delay, a copy of the judgment granting leave to appeal. The Régie must, within 15 days of receiving the judgment, send to the court office a certified copy of the record in its possession.

89. Setting down for trial following leave to appeal. When a judgment granting leave to appeal also sets the appeal down for trial, the appellant must pay the applicable judicial fees to regularize the setting down for trial.

90. Placing on the roll. Under the authority of the coordinating judge or associate coordinating judge, the clerk places cases set down for trial on a special roll.

91. Appeal judgment. As soon as the judgment is filed at the court office, the clerk issues a copy to each party and to the Régie du logement.

92. Provisions applicable. The provisions applicable to the Civil Division apply to this Division, adapted as required.

CHAPTER IV PROVISIONS APPLICABLE TO THE CRIMINAL AND PENAL DIVISION

DIVISION I CRIMINAL PROCEEDINGS

§1. Rules of practice

93. Subjects that may be covered by a rule of practice. The chief judge may establish rules of practice concerning, in particular, the following subjects: judicial authorizations, the treatment of seals, appearances via videoconference facilities, joint hearings and motions under the Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c. 11.

§2. Consultation and removal of a record or exhibit

94. Consultation of a record. A record or exhibit may be consulted only in the presence of the clerk or a person designated by the clerk.

95. Removal. A record may be removed from the court office only at the request of or with authorization from a judge.

§3. Rolls and hearings

96. Planning of the roll. The planning of the roll and the distribution of cases based on their nature and number are governed by the rules of practice issued by the chief judge.

97. Content of the hearing roll available in the courtroom. The hearing roll gives the name of the judge presiding over the hearing, the record number, the number of times the case has appeared on the roll since the start of the proceedings, the date of the last appearance on the roll, the number of charges, the names of the parties and their lawyers, whether the presence of the accused is required, whether the accused is in custody, whether there is a designated lawyer in the case, the nature of the proceeding, the nature of the proceeding, the number of the statement of offence, if any, the date, duration and place of the hearing, and the existence of victim statements.

At the itinerant court, the roll also indicates if the accused is in custody and, if applicable, the case or cases for which the accused is in custody and all the other information required by this section.

98. Official version of the roll. Although versions of the roll are available in other media, the only official version of the roll is the version posted in the various courthouses and, in the event of a discrepancy, the official version prevails.

99. Access to the roll. The clerk makes the official version of the roll for each courtroom accessible at the place provided for that purpose in each courthouse.

100. Availability of copies of the roll. On the day before a hearing, the clerk makes copies of the roll available to the parties and gives a copy to the judge who is to preside at the hearing.

At the itinerant court, at least ten days before the date of the start of the court session, the clerk makes copies of the weekly roll available for the parties and for the judge. Updated rolls are forwarded to the parties and to the judge as soon as they become available, and not later than 4:00 p.m. on the Friday preceding the start of the session.

101. Addition of a case to the roll. The clerk cannot add a case to the hearing roll for the same day without authorization from the coordinating judge, the coordinating judge or a judge.

102. Transfer of a case. At the hearing, a party requesting the transfer of a case to another judge must show to the court's satisfaction that the other judge has agreed to be seized of it.

§4. *Motions*

103. Motions. All motions must set out the facts on which they are based, and be accompanied by an affidavit from the applicant attesting to those facts and by a notice of presentation.

The motion contains:

- (1) a concise summary of its object;
- (2) a summary setting out the arguments that will be pleaded;
- (3) a detailed summary of the factual basis for the proceeding.

If the judge needs a transcript in order to rule on the motion, the applicant must serve and file the transcript with the motion.

104. Service. A motion must be served on the opposing party or the opposing party's lawyer when so required, and on the coordinating judge or associate coordinating judge with a notice of presentation of at least ten days, unless otherwise decided by the judge.

Any motion under the Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c. 11 must be served within at least 30 days.

The motion must also be filed at the court office as soon as possible after service.

105. Time limit for filing a motion. A judge may refuse the inscription on a roll of any motion that has not been filed with the office of the court one clear juridical day before the date scheduled for its presentation.

106. Service on a lawyer. Any service on a lawyer must be made at the lawyer's office.

§5. *Appearance and withdrawal of a lawyer*

107. Representation of a lawyer by a colleague. A lawyer of record may be represented by an associate or by another lawyer appointed for that purpose.

108. Presence of lawyer. A lawyer whose client is not present in the courtroom when his or her name is called must nonetheless appear before the court.

109. Removal of a lawyer. A lawyer who has appeared for an accused may not withdraw from the record without obtaining permission from the judge upon presentation of a motion for that purpose; the motion must be served on the accused and on the opposing party unless the lawyer is exempted from such service by the judge seized of the motion.

§6. *Filing of a private information*

110. Filing of a private information. A person who wishes to file a private information must proceed to the court office. The court office staff must explain the procedure to be followed to the person and provide the person with a list of documents required to support the information, as well as the form entitled "Private Criminal Prosecution Case Summary Form".

111. Forwarding of information. Once the information has been completed, the clerk forwards it to the coordinating judge or associate coordinating judge as the case may be, who designates, where applicable, a judge to hear the pre-inquiry in accordance with section 507.1 of the Criminal Code (R.S.C. 1985, c. C-46).

112. Pre-inquiry. The pre-inquiry is held *ex parte* and *in camera*. The testimony heard and the judgment rendered may only be transcribed with the authorization of the judge.

§7. *Case management conference, preliminary inquiry, pre-hearing conference, and facilitation conference*

113. Case management conference. A judge may hold a case management conference in the presence of the accused and the lawyers of record to better define the issues genuinely in dispute and identify appropriate means to simplify the proceeding and reduce the duration of the hearing.

The chief judge may establish rules of practice concerning case management conferences.

114. Preliminary inquiry and preparatory hearing. A party that wishes a preliminary inquiry to be held must complete, to the judge's satisfaction, the form provided for by the rules of practice issued by the chief judge before a hearing date is set.

If a preparatory hearing under section 536.4 of the Criminal Code (R.S.C. 1985, c. C-46) is necessary, it is held on the date and at the time and place set by the judge. The judge presiding over the hearing examines, in particular, any other matter that would promote a fair and expeditious inquiry.

115. Pre-hearing conference. A pre-hearing conference under section 625.1 of the Criminal Code (R.S.C. 1985, c. C-46) is held on the date and at the time and place set by the judge.

The chief judge may establish rules of practice concerning pre-hearing conferences.

116. Facilitation conference. A judge may hold a facilitation conference bringing together the lawyers for the parties to find a partial or definitive resolution to the case.

The chief judge may establish rules of practice concerning facilitation conferences.

117. Designation of a judge responsible for case management. A motion under section 551.1 of the Criminal Code (R.S.C. 1985, c. C-46) is made using the form provided for in the rules of practice issued by the chief judge.

§8. *Itinerant court*

118. Presence of persons in custody at court. Accused persons who have waived the holding of a release hearing or against whom an interim detention order has been made, are brought into Cree or Inuit territory solely:

- (1) for the first appearance following the waiving of the release hearing or the detention order;
- (2) for the preliminary inquiry which is to proceed;
- (3) for the trial which is to proceed;
- (4) to dispose of the case by a plea of guilty;
- (5) for the verdict and sentencing;
- (6) on the authorization of the judge who is to preside for the presentation of any motion or application.

119. Release hearing. A person who has been arrested and who release is opposed remains in custody in aboriginal territory, where applicable, until the court has ruled on the person's release.

DIVISION II PENAL PROCEEDINGS

120. Applicable provisions. The provisions of Division I of this Chapter apply, adapted as required, to the matters provided for in the Code of Penal Procedure (chapter C-25.1).

121. Time limit for filing. Notwithstanding section 104 of this Regulation, the prior notice, written application and affidavit mentioned in article 32 of the Code of Penal Procedure (chapter C-25.1) must be filed at least one clear day before the date scheduled for their presentation.

CHAPTER V PROVISIONS APPLICABLE TO THE YOUTH DIVISION

DIVISION I IN YOUTH PROTECTION MATTERS

§1. *Consultation and removal of a record or exhibit*

122. Consultation of a record. A person entitled by law may, after the clerk has verified the person's entitlement and identity, consult a record or obtain a copy of all or part of the record. The record may be consulted only in the presence of the clerk or a person designated by the clerk.

The clerk enters in the record the name and title of the person consulting the record and the nature and identification of the exhibits consulted or provided.

123. Removal. No record may be removed from the court office, except for an appeal or a judicial review under the Code of Civil Procedure (chapter C-25.01), or at the request of or with authorization from a judge.

§2. Records, pleadings and exhibits

124. Opening of record. The clerk opens a record for each case brought before the court, and all pleadings filed in the record must bear the full record number.

When the situation of several children is examined jointly, a copy of all exhibits, minutes, stenographic notes and judgments is filed in the record of each child, unless the court decides otherwise.

125. Court register. When a record is sent to the court or to the judge, an updated extract from the court register is placed in the record on the reverse side of the cover.

126. Name and date of birth. The name and date of birth of the child must be inscribed legibly on each record.

127. Exhibits. In addition to the rules set out in section 13 of this Regulation, the exhibits produced must bear the record number and a code letter specific to each party, be numbered consecutively, and be accompanied by a list.

The consecutive numbering must continue for any application made under sections 38 and 95 of the Youth Protection Act (chapter P-34.1).

In youth protection matters, the code letters are as follows:

D: the director of youth protection;

E: the child;

M: the mother;

P: the father;

PM: the father and mother;

PG: the Attorney General;

I: the intervenor;

C: the Commission des droits de la personne et des droits de la jeunesse;

MC: the impleaded party;

AD: any other applicant.

The code letters are preceded by «Pr-» for provisional applications and by «Ir-» for incidental applications, and are independently numbered.

128. Establishment of a child's identity, date of birth and filiation. A child's identity, date of birth and filiation must be established no later than the beginning of the hearing on the merits of an application for protection, or any other time authorized by the judge. The information is established using a birth certificate, unless the judge decides otherwise.

For this purpose, the production of a copy of the child's birth certificate is permitted after its conformity to the original has been verified.

If the certificate is written in a language other than French or English, it must be translated when filed.

When one or both of the parents are deceased, the production of a photocopy of the death certificate suffices.

129. Written application and accessory application. All applications must be made in writing unless an exemption is granted by the court.

When the accessory application is made at the same time as the principal application, it may appear in the same pleading provided the allegations and conclusions are separately identified.

In addition, any application by the director of youth protection must be translated into the aboriginal language spoken by the parties, if applicable.

130. Knowledge of a judgment, order, promise or agreement concerning the child. The applicant must state if the child is subject to an agreement on voluntary measures between the parties or with the director of youth protection, or to an application, action or judgment and, where applicable, produce a copy of the agreement, pleadings or judgment.

When the grounds for the application include a criminal prosecution, the applicant must produce a copy of the information, promise, undertaking or judgment, unless an exemption is granted by the court.

Any party having knowledge of a judgment, order, promise or agreement affecting the child's right must notify the court of it.

131. Authorized applicant. The pleading must indicate if the applicant is authorized by the director of youth protection to act with respect to the child's situation, in accordance with à la Youth Protection Act (chapter P-34.1).

132. Analyses, reports, studies and expert report. All analyses, reports, studies and expert reports must be concise and relevant to the case.

In addition, the study of the child's social situation by the director of youth protection, including recommendations, is limited to a maximum of 10 pages, unless the judge decides otherwise because of exceptional circumstances. This application must be made in writing.

The documents must be laid out with at least single spacing and Arial 12 point typeface.

At the itinerant court, such documents must be filed in the record and forwarded to the judge at least three working days before the hearing, and a copy must be forwarded, within the same period, to the lawyer for each of the parties and to the parties themselves, unless exempted by the court.

133. Joint inquiry. Where the judge is seized of the situation of more than one child from the same family, or where the parties are proceeding by way of a joint inquiry, the report on the assessment of the child's social situation filed in respect of each child must indicate the passages specific to that child using shaded text.

134. Written statement by witness. Every report filed under article 292 of the Code of Civil Procedure (chapter C-25.01) must be accompanied by a notice setting out with precision the relevant points that the person filing the report wishes to prove and a reference the passages concerned.

135. Extracts from reports by other authors. The study of the child's social situation by the director of youth protection may contain extracts from reports by other authors provided the whole of such reports are made available to the parties on request.

136. Application for an exemption. An application for an exemption under section 84.2 of the Youth Protection Act (chapter P-34.1) and the fourth paragraph of section 133 of this Regulation must be made in writing and give reasons.

137. Handwritten document. Every handwritten document must be legible or accompanied by a legible transcript.

138. Notice of appeal and decision rendered on appeal. A copy of a notice of appeal or of a decision rendered on appeal from a judgment by the court must, as soon as they are received, be forwarded by the clerk to the judge who rendered the judgment in first instance.

§3. *Rolls and hearings*

139. Separate rolls. Separate rolls for the hearing of cases in matters of child protection and adoption must be drawn up by the clerk.

140. Adjournment by the clerk. When the judge is absent or unable to act, the clerk may adjourn any hearing for a set period that may not exceed the next session.

§4. *Taking under advisement and judgment*

141. Advisement. Before submitting a record to the judge for purposes of advisement, the clerk ensures that it is complete. If the record is incomplete, the clerk notifies the parties' lawyers of this fact so that they may complete it within the time limit set by the court.

If a party fails to file an exhibit required by the judge or fails to complete its oral or written arguments within the time limit set at the trial, the judge takes the case under advisement at the stage it has reached on the expiry of that time limit.

142. Order involving disclosure to a third party. When the execution of an order involves disclosure to a third party, the disclosure is made separately by the court and forwarded by the clerk in the form of an extract prepared by the judge.

§5. *Representation by a lawyer*

143. Consultation of a record by a lawyer. A lawyer who wishes to consult a record and has not filed a document confirming his or her mandate must present to the clerk written authorization from the person or organization referred to in section 96 of the Youth Protection Act (chapter P-34.1).

§6. *Destruction des dossiers*

144. Access to a record that is to be destroyed. Access to a record that is to be destroyed under the Youth Protection Act (chapter P-34.1) is prohibited from the time when the child reaches the age of 18, except if the time limit for appeal has not expired.

145. Destruction of the entry in the alphabetical index and register and of sound recordings. When the destruction of a record is provided for under the Youth Protection Act (chapter P-34.1), the entry in the alphabetical index and court register, the sound recording, any transcript of the recording, the stenographic notes and all the related information must be destroyed at the same time as the record.

146. Time limit for destruction. Records referred to in section 96 of the Youth Protection Act (chapter P-34.1) must, within 3 months of the date on which access to the records was prohibited, be transported to an appropriate place for incineration or shredding by two persons designated in writing by the clerk for that purpose.

147. Destruction procedure. The records must be incinerated or shredded in the presence of the two persons and the clerk, who draws up a report of the event.

148. Destruction report. The report of the destruction of the records must contain: the numbers or serial numbers of the records destroyed and the date, the place and the means used to destroy the records.

§7. *Change of district*

149. Change of district. The clerk of the court before which an application is brought in accordance with the second paragraph of section 95.1 of the Youth Protection Act (chapter P-34.1) contacts the clerk of the district where it was originally brought to obtain a copy of the record.

§8. *Itinerant court*

150. Parents and children must be called one hour before the scheduled time of the hearing.

151. The director of youth protection must take the necessary steps to ensure that children aged 5 and over are present in court and assisted by a lawyer.

152. The director of youth protection must add a notice to each youth protection application informing the parties of their rights and of the possibility of retaining the services of a lawyer before the date of the hearing and of contacting a paralegal worker to obtain more information.

153. If the hearing is to be held in a place other than the place of residence of the parents and children, the director of youth protection must take the necessary steps to ensure that the parents and children aged 7 and over are taken to the place of the hearing at least 24 hours before the start of the hearing.

154. A maximum of six hours of hearings per day may be set.

DIVISION II MATTERS OF ADOPTION

§1. *General provision*

155. General provision. Sections 123 to 125, 127 to 129, 130, 132, 135, 136, 138 to 142 and 150 to 154, adapted as required, govern matters of adoption.

§2. *Records, pleadings and exhibits*

156. Establishment of a child's identity, date of birth and filiation. The birth certificate required must have been issued less than one year before it is filed.

157. Conservation of certain applications in the same record. Applications for an order of placement, for the revocation of an order of placement, and for adoption with respect to the same child, as well as any related pleadings, are kept in the same record.

All other applications and the related pleadings are kept in separate records.

158. Name on record. The given name and name proposed for the child must be entered on each record, along with the child's original given name and name between parentheses if they are different.

In cases involving the recognition of a foreign judgment, the record is opened in the name of the child.

159. Conservation and withdrawal of exhibits. In accordance with the directive issued by the chief judge pursuant to article 108 of the Code of Civil Procedure (chapter C-25.01), exhibits are kept in the record beyond the one-year time limit. When a party wishes to withdraw an exhibit it has filed, the clerk returns the exhibit to the party and keeps a certified copy in the record.

160. Copy of judgment or certificate of attestation. Except if the court authorizes the parties to receive a copy of a judgment to be rendered, the clerk forwards to the parties a certificate attesting to any judgment judicially declaring a child eligible for adoption and to any order of placement or adoption judgment.

161. Foreign legislative and regulatory provisions. A party that invokes a foreign statute or regulation must provide a copy for the judge and the parties, and underline the relevant passages.

DIVISION III IN MATTERS OF YOUTH CRIMINAL JUSTICE

§1. *General provision*

162. General provision. Sections 93, 94, 95, 97, 100, 101, 102 and 104 to 120, adapted as required, apply.

§2. *Records, pleadings and exhibits*

163. Opening of record. The clerk opens a record for each information laid against a young person, and all pleadings filed in the record must bear the full record number.

164. Exhibits. In addition to the rules set out in section 13 of this Regulation, the exhibits filed must bear the record number and a description of their nature. They must be identified using a code letter specific to each party, be numbered consecutively, and be accompanied by an inventory.

The code letters are as follows:

P: the prosecution;

D: the defence;

DP: the provincial director;

PM: the parent(s).

The code letters are preceded by “VD-” for a voir dire, “EML-” for a release hearing and “EP-” for a preliminary inquiry.

§3. *Rolls and hearings*

165. Separate roll. A separate roll for the hearing of cases in criminal and penal matters must be drawn up by the clerk. The clerk keeps the roll for each courtroom at the court office.

§4. *Appearance*

166. Appearance. A lawyer appearing for a young person may do so at the hearing or by way of a written designation.

§5. *Applications*

167. Written application. An application based on section 54(10) of the Youth Criminal Justice Act (S.C. 2002, c. 1) is made by way of a notice of inscription on the roll containing a brief summary of the nature of

the application. The notice must be forwarded to the other party, unless it has waived notice, two clear days before it is presented.

An application for review based on section 59 or 94 of the Youth Criminal Justice Act (S.C. 2002, c. 1) must be in writing and give the reasons on which it is based, as well as the conclusions sought.

The court may, however, on grounds it considers justified, authorized a verbal application for a review on the basis of section 59 of the Youth Criminal Justice Act (S.C. 2002, c. 1) if the notice required by that section is sent within the required time or if the recipients have waived notice.

168. Time limit for service. When no time limit is set by law, every application must be served with notice of presentation of at least five clear days, unless an exemption is granted by the judge.

169. Application concerning completion of a sentence. Except in the case of an application made under section 54(10) of the Youth Criminal Justice Act (S.C. 2002, c. 1), every application made in connection with the completion of a sentence is submitted to the judge who imposed the sentence, except if the judge is absent or unable to act.

170. Application concerning custodial sentence. In every application under section 94, 95, 98, 103, 104 or 109 of the Youth Criminal Justice Act (S.C. 2002, c. 1) concerning a young person in custody after receiving custodial sentences in more than one judicial district, the pleading must list all the sentences covered by the application.

The application may be heard in any of the districts.

The party making the application must file in the court record a true copy of all the orders covered by the application.

A certified copy of the decision made following the examination must be filed in every record containing an order affected by the decision. The court office must forward a certified copy of the decision to the court office of all the districts where the orders affected by the decision were made.

§6. *Preparatory hearing and pre-hearing conference*

171. Preparatory hearing and pre-hearing conference. A preparatory hearing under section 536.4 of the Criminal Code (R.S.C. 1985, c. C-46) or a pre-hearing conference under section 625.1 of that Code is held on the date and at the time and place set by the judge.

§7. Reports

172. Reports. Unless an exemption is granted by the judge, the reports required under the Youth Criminal Justice Act (S.C. 2002, c. 1) must be filed in the court record at least five days before the hearing.

The pre-sentence report from the provincial director is limited to a maximum of 10 pages, unless the judge decides otherwise because of exceptional circumstances. This application must be made in writing.

The documents must be laid out with at least single spacing and Arial 12 point typeface.

The clerk forwards a copy of the report to the persons designated by law, as soon as it is filed at the court office.

DIVISION IV IN MATTERS OF CUSTODY, EMANCIPATION, PARENTAL AUTHORITY AND TUTORSHIP

173. Sections 127 to 129, 130, 132, 138 and 142, adapted as required, apply to the matters covered by this Division.

174. Statement concerning a current proceeding. When the court is seized of an application in a matter of adoption or youth protection, a party applying for custody, emancipation, the exercise of an attribute of parental authority or tutorship of the child concerned must, in its statement, mention any current proceedings.

175. Separate case. An application based on the third paragraph of article 37 of the Code of Civil Procedure (chapter C-25.01) must be made in a separate case from the youth protection case or adoption case concerning the child notwithstanding the court's decision to proceed by way of a joint inquiry.

CHAPTER VI FINAL PROVISIONS

176. Coming into force. This Regulation comes into force on the date of coming into force of the Act to establish the new Code of Civil Procedure (2014, chapter 1) and replaces the Regulation of the Court of Québec (chapter C-25, r. 4).

SCHEDULE I

INDEXES AND REGISTERS

The indexes and registers referred to in the second paragraph of section 6 must contain the following information and documents:

(1) For the Youth Division, in civil matters:

(a) In matters of protection:

i. an alphabetical index containing:

(I) the record number;

(II) the name and given name of the child and of the other parties;

(III) the date of birth and sex of the child.

ii. a court register containing:

(I) the record number and the date it was opened;

(II) the name and given name of the child and of the other parties;

(III) the date of birth and sex of the child;

(IV) the address of the residence or domicile of the child and of the other parties;

(V) the names, given names and addresses of the lawyers for the parties;

(VI) a reference to the relevant section of a statute and the nature of the case;

(VII) the nature and date of each of the pleadings in the record;

(VIII) the date of each court sitting;

(IX) the date on which the record is completed and the date on which it is sent to the judge for advisement;

(X) the date of each judgment and a summary of the judgment;

(XI) the date of filing of the notice of appeal;

(XII) the record number of the court sitting in appeal or for judicial review and the date on which the record was transmitted to the office of that court;

(XIII) the date on which the record was returned to the court office.

iii. a register of consultation of the records relating to the Youth Protection Act (chapter P-34.1) indicating, for each consultation:

(I) the record number and the date it was consulted;

(II) the name, given name and capacity of each person consulting the record;

(III) the signature of each person consulting the record;

(IV) the name and given name of the person in whose presence the record was consulted.

iv. the information required under subparagraphs 1 and 2 must be inscribed on the cover of the record consulted.

(b) In matters of adoption:

i. an alphabetical index under the original name and a second alphabetical index under the proposed given name and name of the person who is the subject of a proceeding, containing:

(I) the number of the record(s);

(II) the proposed given name and name of the person, where applicable;

(III) the original given name and name of the person, if they differ from the proposed names;

(IV) the person's date of birth and sex;

ii. a court register containing:

(I) the record number and the date it was opened;

(II) the person's original given name and surname, sex, date of birth, and address of residence or domicile;

(III) the proposed given name and name of the person, if they differ from the original names; if the person is a minor, the name of the director of youth protection;

(IV) if they are known, the given names and surnames of the minor's parents, tutor, guardian or spouse;

(V) the names, given names and addresses of the parents;

(VI) the names, given names and addresses of the parties' lawyers;

(VII) a reference to the relevant section of a statute and the nature of the matter;

(VIII) the nature of each of the pleadings and the date they were filed in the record;

(IX) the date of each court sitting;

(X) the date on which the record is completed and the date it is sent to the judge for advisement;

(XI) the date of each judgment and a summary thereof;

(XII) the date of the filing of the notice of a proceeding in appeal with the office of the court, the number of the record of the Court sitting in appeal, where available, and the date on which the record was transmitted to the office of that court;

(XIII) the date on which the record was returned to the office of the court;

(XIV) the date on which a party retrieves the original of an exhibit that the party filed in the record.

iii. a register of judgments containing:

(I) the original of all judgments rendered in matters of adoption, filed in the same numerical order as the records, with a certified copy of each judgment being added to the record.

(c) For the Youth Division, in criminal or penal matters:

i. an alphabetical index containing:

(I) the record number;

(II) the young person's name, given name, date of birth and sex;

(III) the names and given names of the young person's parents, tutor, guardian or spouse, where applicable.

ii. a court register containing:

(I) the record number and the date it was opened;

(II) the name and given name of the young person;

(III) the young person's date of birth and sex;

(IV) the name and given name of the young person's lawyer;

(V) the names and given names of the young person's parents, tutor, guardian or spouse, where applicable;

(VI) the address of the residence or domicile of the defendant and that of the defendant's parents, tutor, guardian or spouse, if different;

(VII) the name of the plaintiff or the informant, where applicable;

(VIII) a reference to the section of a statute under which the offence is alleged to have been committed by the young person;

(IX) the date and stage of each hearing of the court;

(X) the date of the judgment and of the decision, where applicable;

(XI) the date of the filing of the notice of appeal;

(XII) the number of the record of the court sitting in appeal or judicial review under the Code of Civil Procedure (chapter C-25.01) and the date on which the record was transmitted to the office of that court;

(XIII) the date on which the record was returned to the office of the court.

102319

Transport

Gouvernement du Québec

O.C. 861-2015, 30 September 2015

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

CONCERNING the management of certain portions of local roads built in partnership and situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres

WHEREAS under the second paragraph of section 6 of the Act respecting transport infrastructure partnerships (chapter P-9.001), the government may, by an order published in the *Gazette officielle du Québec*, entrust all or part of the management of a road infrastructure constructed under this Act to a municipality, which, in that case, shall exercise the powers provided for in the Municipal Powers Act (chapter C-47.1);

WHEREAS certain portions of local roads situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres were built under the Act respecting transport infrastructure partnerships;

WHEREAS it is expedient that the management of these portions of local roads be entrusted to the cities and the municipality on whose territory they are situated;

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

THAT management of the portions of local roads mentioned in the schedule to this Order, built under the Act respecting transport infrastructure partnerships (chapter P-9.001), and situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres be entrusted to the cities and to the municipality on whose territory they are situated;

THAT the current Order in Council be effective as of the date it is published in the *Gazette officielle du Québec*.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

SCHEDULE

PORTIONS OF LOCAL ROADS BUILT UNDER THE ACT RESPECTING TRANSPORT INFRASTRUCTURE PARTNERSHIPS (CHAPTER P-9.001), WHOSE MANAGEMENT IS ENTRUSTED TO A MUNICIPALITY

EXPLANATORY NOTE

The parts of a road infrastructure are described for each municipality where they are located using the following four items:

1. ROAD CATEGORY

The nomenclature of road categories is derived from the functional classification established by the ministère des Transports (MTQ).

2. SECTION IDENTIFICATION

The roads are identified according to the codes used by the MTQ to subdivide its road network. The codes are divided into road/ segment/ section/ sub-road. The sequence within the sub-road has evolved over time (the current codes are in bold in the examples below). Here is how to interpret the information:

Main road

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- 000-C	Main road (000) with contiguous lanes (C)
00020	- 02	- 090	- 000-S	Main road (000) with divided lanes (S)
00020	- 02	- 090	- 0-00-1	Main road (000) with number used for computer validation "1" (0 to 9)

Ramp

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- 32A	Ramp (3), intersection No. 2, named "A"
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named "0-A"

3. NAME OF ROAD

For roads with a number lower than 1000, the road number is indicated instead of the odonym. The odonym is used for the other roads.

When there are one or more ramps along a road section, the total number of ramps for that section is indicated for this item; the combined lengths of all the ramps are indicated under “Length in km”.

4. LENGTH IN KM

The length in kilometres is indicated for each road or part of a road. The length is determined by the Minister of Transport and corresponds to the actual distance travelled by a vehicle between two points, without taking into consideration the number of lanes or configuration of the road (contiguous or divided lanes). Thus, the length between the two points is the same regardless of whether they are connected by an autoroute or a collector road.

NOTE: The designation of the sites appearing in the Schedule does not necessarily comply with the standards of the Commission de toponymie du Québec.

ROADS WHOSE MANAGEMENT WAS ENTRUSTED TO MUNICIPALITIES

BEAUHARNOIS, V (70022)

Road Class	Section Identification	Name of Road	Length in km
Local	61342-02-021-000-C	Chemin du Canal (south side of autoroute 30)	0.83
Local	61344-01-010-000-S	Divided lanes, roundabout	0.09
Local	61344-01-020-000-C	Chemin du Canal (north side of autoroute 30)	0.60
Local	61347-01-010-000-C	Road over autoroute 30	0.29
Local	61347-01-020-000-S	Divided lanes, roundabout 2 ramps (circulatory roadway)	0.10 0.18
Local	61390-02-006-000-C	Rang Saint-Georges	0.09

CHÂTEAUGUAY, V (67050)

Road Class	Section Identification	Name of Road	Length in km
Local	61477-01-021-000-C	Boulevard Saint-Joseph	0.20

LES CÈDRES, M (71050)

Road Class	Section Identification	Name of Road	Length in km
Local	30219-01-003-000-C	Rue Chicoine	1.71
Local	30223-05-005-000-C	Chemin du Fleuve	0.65

LÉRY, V (67055)

Road Class	Section Identification	Name of Road	Length in km
Local	61463-02-010-000-C	Rue de la Gare	0.56

MERCIER, V (67045)

Road Class	Section Identification	Name of Road	Length in km
Local	61477-01-005-000-C	Rue Beauchemin	0.09

SALABERRY-DE-VALLEYFIELD, V (70052)

Road Class	Section Identification	Name of Road	Length in km
Local	61342-01-005-000-C	Montée Pilon and chemin du Canal Est	0.59
Local	61346-01-005-000-C	Chemin du Canal Ouest	0.35
Local	61346-01-010-000-C	Chemin du Canal Ouest	5.25

VAUDREUIL-DORION, V (71083)

Road Class	Section Identification	Name of Road	Length in km
Local	30219-02-010-000-C	Rue Chicoine	1.22

102311

Gouvernement du Québec

O.C. 862-2015, 30 September 2015An Act respecting roads
(chapter V-9)

CONCERNING the management of certain portions of local roads situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres

WHEREAS, pursuant to the first paragraph of section 3 of the Act respecting roads (chapter V-9), the government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of the Minister of Transport shall, from the date indicated in the order, be managed by a municipality in accordance with Chapter I and Division I of Chapter IX of Title II of the Municipal Powers Act (chapter C-47.1);

WHEREAS Order in Council 292-93 dated March 3, 1993 and its subsequent amendments, including Order in Council 262-2009 of March 18, 2009, determined, by municipality, the roads that are under the management of the Minister of Transport;

WHEREAS it is expedient to reamend the schedule to this order in council and its subsequent amendments in order to determine that certain portions of local roads under the management of the Minister of Transport will pass under the management of municipalities on whose territory these roads are situated;

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

THAT the schedule to Order in Council 292-93 dated March 3, 1993, and its subsequent amendments concerning the roads under the management of the Minister of Transport be amended, with regard to the municipalities indicated, so as to remove certain portions of local roads as indicated in the schedule to this Order in Council.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

SCHEDULE**PORTIONS OF LOCAL ROADS PASSING UNDER THE MANAGEMENT OF A MUNICIPALITY****EXPLANATORY NOTE**

Roads under the management of the Minister of Transport are described for each municipality where they are located. The update of the schedule to Order in Council 292-93 dated March 3, 1993, and its subsequent amendments indicates corrections to the description, additions and deletions, as well as changes of right-of-way width and geometric redevelopments.

A) CORRECTION TO THE DESCRIPTION, ADDITION OR DELETION

The roads for which “Corrections to the description”, “Additions” or “Deletions” were made are described using the following five elements:

1. ROAD CATEGORY

The nomenclature of road categories is derived from the functional classification established by the ministère des Transports du Québec (MTQ).

2. SECTION IDENTIFICATION

The roads are identified according to the codes used by the MTQ to subdivide its road network. The codes are divided into road/ segment/ section/ sub-road. The sequence within the sub-road has evolved over time (the current codes are in bold in the examples below). Here is how to interpret the information:

Main road

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- 000-C	Main road (000) with contiguous lanes (C)
00020	- 02	- 090	- 000-S	Main road (000) with divided lanes (S)
00020	- 02	- 090	- 0-00-1	Main road (000) with number used for computer validation “1” (0 to 9)

Ramp

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- 32A	Ramp (3), intersection No. 2, named “A”
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named “0-A”

3. NAME OF ROAD

For roads with a number lower than 1000, the road number is indicated instead of the odonym. The odonym is used for the other roads.

When there are one or more ramps along a road section, the total number of ramps for that section is indicated for this item; the combined lengths of all the ramps are indicated under “Length in km”.

4. LOCATION OF BEGINNING

This item contains the description of a physical landmark used to locate the beginning of a road section or identify municipal boundaries in the case of a road section found in more than one municipality.

5. LENGTH IN KM

The length in kilometres is indicated for each road or part of a road. The length is determined by the Minister of Transport and corresponds to the actual distance travelled by a vehicle between two points, without taking into consideration the number of lanes or configuration of the road (contiguous or divided lanes). Thus, the length between the two points is the same regardless of whether they are connected by an autoroute or a collector road.

B) CHANGE OF RIGHT-OF-WAY WIDTH OR GEOMETRIC REDEVELOPMENT

The roads for which a “Change of Right-of-Way Width” or “Geometric Redevelopment” was made are described using the elements of Section A above and, if applicable, the plan number, the name of the land surveyor and the number of the land surveyor’s minutes.

NOTE: The designation of the sites appearing in the Schedule does not necessarily comply with the standards of the Commission de toponymie du Québec.

DELETIONS

BEAUHARNOIS, V (70022)

Class Road	Section Identification	Name of Road	Location of Beginning	Length in km
Local	61342-02-020-000-C	Chemin du Canal	Limit Salaberry-de-Valleyfield, v	0.62
Local	61390-02-005-000-C	Rang Saint-Georges	100 m east of route 236	0.10

CHÂTEAUGUAY, V (67050)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	61477-01-021-000-C	Boulevard Saint-Joseph	Intersection route 132	0.20

LES CÈDRES, M (71050)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	30219-01-005-000-C	Rue Chicoine	Intersection chemin Saint-Grégoire	1.26
Local	30223-05-005-000-C	Chemin du Fleuve	3380 m west limit Pointe-des-Cascades, vl	0.66

LÉRY, V (67055)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	61463-02-010-000-C	Rue de la Gare	482 m intersection route 132	0.56

MERCIER, V (67045)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	61477-01-005-000-C	Rue Beauchemin	211 m intersection route 132	0.21

SALABERRY-DE-VALLEYFIELD, V (70052)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	61342-01-005-000-C	Montée Pilon	570 m intersection route 132	0.59
Local	61346-01-005-000-C	Chemin du Canal Ouest	2080 m intersection boulevard Pie XII	0.35
Local	61346-02-000-000-C	Chemin du Canal Ouest	Intersection boulevard Pie XII	5.06

VAUDREUIL-DORION, V (71083)

Road Class	Section Identification	Name of Road	Location of Beginning	Length in km
Local	30219-01-021-000-C	Rue Chicoine	Limit Les Cèdres, m	1.20

102312

Erratum

M.O., 2015

Order 2015-11 of the Minister of Transport and the Minister of Public Security dated 2 September 2015

Highway Safety Code
(chapter C-24.2)

Amendments to the Ministerial Order concerning public highways where mobile photo radar devices may be used

Gazette officielle du Québec, Part 2, September 30, 2015, Volume 147, No. 39, page 2333.

On page 2345, Section 7, the words “SCHEDULE 1 (sections 5 to 5.3)” should be followed by the maps showing the public highways where mobile photo radar devices and red light camera systems may be used.

102318

Index

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

	Page	Comments
Agence du revenu du Québec — Signing of certain deeds, documents and writings (An Act respecting the Agence du revenu du Québec, chapter A-7.003)	2782	M
Agence du revenu du Québec, An Act respecting the... — Agence du revenu du Québec — Signing of certain deeds, documents and writings (chapter A-7.003)	2782	M
Ambulance technician — Conditions for the registration in the national workforce registry (An Act respecting pre-hospital emergency services, chapter S-6.2)	2770	M
Basic Parental Contribution Determination Table (An Act to establish the new Code of Civil Procedure, 2014, chapter 1)	2806	Draft
CHU de Québec – Université Laval — Transfer of certain activities exercised by the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale (An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, chapter O-7.2)	2773	N
Code of Civil Procedure — Court of Québec (chapter C-25.01)	2816	Draft
Code of Civil Procedure, An Act to establish the new... — Basic Parental Contribution Determination Table (2014, chapter 1)	2806	Draft
Code of Civil Procedure, An Act to establish the new... — Sales register. (2014, chapter 1)	2811	Draft
Code of Civil Procedure, An Act to establish the new... — Statement by parties required for an application relating to a support obligation (2014, chapter 1)	2813	Draft
Court of Québec (Code of Civil Procedure, chapter C-25.01)	2816	Draft
Distribution of financial products and services, An Act respecting the... — Issuance and renewal of representatives' certificates (chapter D-9.2)	2778	M
Health services and social services, An Act respecting... — Private seniors' residence — Conditions for obtaining a certificate of compliance and operating standards (chapter S-4.2)	2767	M
Health services and social services, An Act respecting... — Private seniors' residences — Certification (chapter S-4.2)	2791	Draft
Highway Safety Code — Public highways where mobile photo radar devices may be used — Amendments. (chapter C-24.2)	2847	Erratum

Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval — Transfer of certain activities exercised by the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale.	2772	N
(An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, chapter O-7.2)		
Issuance and renewal of representatives' certificates	2778	M
(An Act respecting the distribution of financial products and services, chapter D-9.2)		
Management of certain portions of local roads built in partnership and situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres	2839	
(An Act respecting transport infrastructure partnerships, chapter P-9.001)		
Management of certain portions of local roads situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres	2842	
(An Act respecting roads, chapter V-9)		
Organization and governance of the health and social services network, in particular by abolishing the regional agencies, An Act to modify the... — CHU de Québec – Université Laval — Transfer of certain activities exercised by the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale	2773	N
(chapter O-7.2)		
Organization and governance of the health and social services network, in particular by abolishing the regional agencies, An Act to modify the... — Institut universitaire de cardiologie et de pneumologie de Québec – Université Laval — Transfer of certain activities exercised by the Centre intégré universitaire de santé et de services sociaux de la Capitale-Nationale.	2772	N
(chapter O-7.2)		
Organization and governance of the health and social services network, in particular by abolishing the regional agencies, An Act to modify the... — Private seniors' residences — Certification	2791	Draft
(chapter O-7.2)		
Pre-hospital emergency services, An Act respecting... — Ambulance technician — Conditions for the registration in the national workforce registry	2770	M
(chapter S-6.2)		
Private seniors' residence — Conditions for obtaining a certificate of compliance and operating standards	2767	M
(An Act respecting health services and social services, chapter S-4.2)		
Private seniors' residences — Certification.	2791	Draft
(An Act respecting health services and social services, chapter S-4.2)		
Private seniors' residences — Certification.	2791	Draft
(An Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, chapter O-7.2)		
Public highways where mobile photo radar devices may be used — Amendments	2847	Erratum
(Highway Safety Code, chapter C-24.2)		

Roads, An Act respecting... — Management of certain portions of local roads situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres (chapter V-9)	2842	
Sales register. (An Act to establish the new Code of Civil Procedure, 2014, chapter 1)	2811	Draft
Statement by parties required for an application relating to a support obligation . . . (An Act to establish the new Code of Civil Procedure, 2014, chapter 1)	2813	Draft
Transport infrastructure partnerships, An Act respecting... — Management of certain portions of local roads built in partnership and situated in the corridor of autoroute 30 in the territory of the cities of Beauharnois, Châteauguay, Léry, Mercier, Salaberry-de-Valleyfield, Vaudreuil-Dorion and the municipality of Les Cèdres (chapter P-9.001)	2839	

