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Part

2

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Laws and Regulations

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Summary

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
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Coming into force of Acts

Gouvernement du Québec

O.C. 404-2016, 18 May 2016

An Act to amend the Police Act as concerns independent investigations (2013, chapter 6) — Coming into force of section 3 of the Act

COMING INTO FORCE of section 3 of the Act to amend the Police Act as concerns independent investigations, insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act, and of sections 4 and 5 of the Act to amend the Police Act as concerns independent investigations

WHEREAS the Act to amend the Police Act as concerns independent investigations (2013, chapter 6) was assented to on 15 May 2013;

WHEREAS section 11 of the Act provides that the Act comes into force on 15 May 2013, except section 3 insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act (chapter P-13.1), and sections 4 and 5, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 27 June 2016 as the date of coming into force of section 3 of the Act to amend the Police Act as concerns independent investigations, insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act, and of sections 4 and 5 of the Act to amend the Police Act as concerns independent investigations;

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

THAT 27 June 2016 be set as the date of coming into force of section 3 of the Act to amend the Police Act as concerns independent investigations (2013, chapter 6), insofar as it enacts sections 289.1 to 289.3 and 289.19 to 289.22 of the Police Act (chapter P-13.1), and of sections 4 and 5 of the Act to amend the Police Act as concerns independent investigations.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

102604

Gouvernement du Québec

O.C. 441-2016, 25 May 2016

An Act respecting end-of-life care (2014, chapter 2) — Coming into force of certain provisions of the Act

COMING INTO FORCE of certain provisions of the Act respecting end-of-life care

WHEREAS the Act respecting end-of-life care (2014, chapter 2) was assented to on 10 June 2014;

WHEREAS section 78 of the Act provides that, except for the second paragraph of section 52, section 57, section 58 to the extent that it concerns the advance medical directives register and sections 63 and 64, which come into force on the date or dates to be set by the Government, the provisions of the Act come into force on 10 December 2015, or any earlier date set by the Government;

WHEREAS, under Order in Council 1165-2015 dated 16 December 2015, sections 63 and 64 of the Act respecting end-of-life care came into force on 16 December 2015;

WHEREAS it is expedient to set 15 June 2016 as the date of coming into force of the second paragraph of section 52, section 57 and section 58 to the extent that the provisions concern the advance medical directives register;

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

THAT 15 June 2016 be set as the date of coming into force of the second paragraph of section 52, section 57 and section 58, to the extent that the provisions concern the advance medical directives register, of the Act respecting end-of-life care (2014, chapter 2).

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

102618

Regulations and other Acts

Gouvernement du Québec

O.C. 405-2016, 18 May 2016

Police Act
(chapter P-13.1)

Bureau des enquêtes indépendantes — **Conduct of the investigations**

Regulation respecting the conduct of the investigations of the Bureau des enquêtes indépendantes

WHEREAS, under the second paragraph of section 289.1 of the Police Act (chapter P-13.1), a government regulation is to define what constitutes a serious injury within the meaning of the first paragraph of that section;

WHEREAS, under section 289.4 of the Act, a government regulation is to establish rules concerning the investigations the Bureau des enquêtes indépendantes is charged with conducting under section 289.2 of the Act and the regulation is to determine, among other things, the obligations of the police officers involved in an occurrence described in section 289.1, the police officers who witnessed the occurrence and the director of the police force involved;

WHEREAS, under the second paragraph of section 289.20 of the Act, a government regulation is to determine the terms governing the provision of support services mentioned in the first paragraph of that section;

WHEREAS under section 289.23 of the Act, the government regulation made under section 289.4 may provide rules relating to the communications of the director of the Bureau with the public and the family members of a person described in section 289.1;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the conduct of investigations the Bureau des enquêtes indépendantes is charged with 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 comments were received following that publication and it is expedient to make the Regulation with amendments;

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

That the Regulation respecting the conduct of the investigations of the Bureau des enquêtes indépendantes, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the conduct of the investigations of the Bureau des enquêtes indépendantes

Police Act
(chapter P-13.1, ss. 289.1, 289.4, 289.20 and 289.23)

DIVISION I

OBLIGATIONS OF POLICE OFFICER INVOLVED OR WITNESS POLICE OFFICER AND OF DIRECTOR OF POLICE FORCE INVOLVED

1. A police officer involved and a witness police officer must, where a person, other than an on-duty police officer, dies, sustains a serious injury or is injured by a firearm used by a police officer during a police intervention or while the person is in police custody:

(1) withdraw from the scene of the occurrence as soon as possible;

(2) draw up independently, in particular without consultations and influence, an accurate, detailed and comprehensive account of the facts that took place during the occurrence, sign the account and submit it to the investigators of the Bureau des enquêtes indépendantes within 24 hours of the occurrence, unless the director of the Bureau grants a time extension;

(3) meet with the investigators of the Bureau;

(4) refrain from communicating with another police officer involved or witness police officer in connection with the occurrence until the police officer has submitted the account and met with the investigators of the Bureau; and

(5) remain available for the investigation purposes.

A police officer involved is a police officer present at an occurrence referred to in the first paragraph and whose actions or decisions could have contributed to the death, serious injuries or injuries by a firearm used by a police officer. A witness police officer is a police officer in whose presence such an occurrence took place, without being a police officer involved.

Constitutes a serious injury any physical injury that could lead to death or that results in serious physical consequences.

2. A director of a police force involved must

(1) take the necessary measures to secure the scene of the occurrence and to ensure preservation of the evidence and the premises' integrity until the arrival of the investigators of the Bureau;

(2) take reasonable measures to prevent the police officers involved or witness police officers from communicating with one another in connection with the occurrence until they have submitted their accounts to the investigators of the Bureau and met with them;

(3) send to the director of the Bureau the name of the person deceased or injured and the nature of the person's injuries, the names of the persons present at the occurrence, the parameters and limits of the scene of the occurrence, the evidence collected so as to preserve it, as well as any other information collected in connection with the occurrence;

(4) give the investigators of the Bureau any document in connection with the occurrence;

(5) make sure that the communications made to the public about the occurrence do not impede the Bureau's investigation; and

(6) take the necessary measures so that the director of the Bureau may ensure the communications related to the independent investigation with the person seriously injured or injured by a firearm used by a police officer during a police intervention or while the person is in police custody and with the family members of that person or of a person who died during such an occurrence.

A police force involved is a police force counting among its members or exercising authority over, as the case may be, the police officers who are involved in the occurrence or who witness it.

DIVISION II
PARALLEL INVESTIGATIONS

3. The Bureau and any other police force conducting parallel investigations based on common evidence or testimonies must cooperate with each other. Despite the foregoing, the Bureau has precedence over the police force with regard to the evidence, testimonies and control of the scene of the occurrence.

4. The director of a police force that conducts an investigation in parallel with the Bureau's investigation must make sure that the communications made to the public do not impede the Bureau's investigation.

DIVISION III
OBLIGATIONS OF THE BUREAU'S DIRECTOR
AND INVESTIGATORS

5. The director of the Bureau must inform the director of the police force involved where an involved or witness police officer fails to comply with the obligations prescribed by this Regulation.

The director must also, if the director of the police force involved fails to comply with the obligations prescribed by this Regulation, so inform the Minister, in the case of the Director General of the Sûreté du Québec, the municipal council, in the case of the director of the municipal police force, or his or her employer, in the case of a director of another police force.

6. The director of the Bureau informs the director of the police force involved of the name of the principal investigator and sends the contact information of the principal investigator.

7. The principal investigator must, before meeting with a police officer involved or a witness police officer, determine the police officer's status and, as soon as possible, notify the police officer of that status in writing. The principal investigator must also inform the police officer of any change in status in the course of the investigation and notify the police officer of the change in writing as soon as possible. The principal investigator also informs the director of the police force involved of the status of the police officer and of any change in their status.

8. The investigators of the Bureau must inform the director of the Bureau of any situation likely to put them in a conflict of interest and to compromise their impartiality, in particular present or past professional, family or social relations that they maintain with a police officer involved.

9. The investigators of the Bureau assigned to an investigation must meet with all the police officers involved within 48 hours of their arrival on the scene of the occurrence and with all the witness police officers within 24 hours of their arrival, unless the director of the Bureau grants a time extension.

DIVISION IV COMMUNICATIONS OF THE DIRECTOR OF THE BUREAU

10. When communicating with the public about the state of the Bureau's activities, the director of the Bureau discloses the following, in particular:

- (1) the number of investigations in progress;
- (2) the type of occurrence that led to the investigations;
- (3) the number of records sent to the Director of Criminal and Penal Prosecutions and, if applicable, to the coroner;
- (4) the conduct of the investigations completed.

11. Insofar as it does not impede the director's investigation or a parallel investigation, the director of the Bureau informs the public, in particular, of the beginning of an investigation, its conduct and the transmission of the investigation record to the Director of Criminal and Penal Prosecutions and, if applicable, to the coroner.

12. The director of the Bureau ensures the communications with the person seriously injured or injured by a firearm used by a police officer during a police intervention or while the person is in police custody and with the family members of that person or of a person who died during such an occurrence. The director communicates to them all relevant information regarding the independent investigation process insofar as it does not impede the investigation.

DIVISION V TERMS GOVERNING THE PROVISION OF SUPPORT SERVICES

13. The director of the Bureau, when requesting support services from a police force director providing level 4 services or services of a higher level, indicates the time within which the support services are requested and for what duration.

Where the police force director referred to in the first paragraph is unable to provide the support services requested within the time indicated, he or she so informs the director of the Bureau and specifies when the support services can be provided.

14. A member or employee of a police force who is requested to provide support services and a police officer requested by the director of the Bureau or by any member of the Bureau designated by the director remain at all times members of their police force.

DIVISION VI FINAL

15. This Regulation comes into force on June 27, 2016.
102605

Gouvernement du Québec

O.C. 416-2016, 25 May 2016

An Act respecting municipal taxation
(chapter F-2.1)

Equalization scheme —Amendment

Regulation to amend the Regulation respecting the equalization scheme

WHEREAS, under subparagraph 7 of the first paragraph of section 262 of the Act respecting municipal taxation (chapter F-2.1), the Government may by regulation establish the equalization scheme provided for in section 261 of the Act and set the rules provided for in the second paragraph of that section;

WHEREAS the Government made the Regulation respecting the equalization scheme (chapter F-2.1, r. 11);

WHEREAS it is expedient to amend the Regulations;

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 equalization scheme was published in Part 2 of the *Gazette officielle du Québec* of 30 March 2016 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS a comment was received with respect to the draft Regulation;

WHEREAS it is expedient to make the Regulation with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Land Occupancy:

THAT the Regulation to amend the Regulation respecting the equalization scheme, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the equalization scheme

An Act respecting municipal taxation
(chapter F-2.1, s. 262, 1st par., subpar. 7)

- 1.** The Regulation respecting the equalization scheme (chapter F-2.1, r. 11) is amended in section 1 by replacing “among the most disadvantaged municipalities” in the first paragraph by “whose average value of the dwellings is less than the median”.
- 2.** Section 4 is amended by replacing “90%” in subparagraph 1 of the first paragraph by “80%”.
- 3.** Section 18 is amended by replacing “\$42,905,000 under the first part and \$17,095,000” in the first paragraph by “\$37,705,000 under the first part and \$22,295,000”.
- 4.** Section 22 is amended by replacing “90%” in subparagraph 1 of the first paragraph by “80%”.
- 5.** The following is inserted after section 61:

“DIVISION V.1 ADAPTATIONS APPLICABLE FOR THE FISCAL YEARS 2016, 2017 AND 2018

61.1. The adaptations provided for in this Division ensure, for the fiscal years 2016, 2017 and 2018, a gradual application of the equalization formula that would otherwise fully apply as of the fiscal year 2016. The adaptations apply for the purpose of determining, for each fiscal year, whether a municipality is eligible for an equalization payment and, where applicable, for the purpose of computing the equalization amount to which the municipality is entitled.

61.2. For each of those fiscal years, eligibility of a municipality and any equalization amount to which the municipality is entitled are determined according to the following rules:

(1) sections 4 to 32 are applied a first time with the adaptations provided for in the first paragraph of section 61.3 and any equalization amount resulting from the application is weighted in accordance with the second paragraph of that section;

(2) sections 4 to 32 are applied a second time, separately and independently from the first application, and any equalization amount resulting from that application is weighted in accordance with section 61.4;

(3) the total of both weighted amounts, obtained by applying the previous paragraphs, constitutes the equalization amount to which a municipality is entitled for the fiscal year concerned and is paid in accordance with section 33.

61.3. The adaptations to the first application of sections 4 to 32 are based on the equalization formula that applied to the fiscal year 2015. The adaptations are as follows:

(1) by replacing “80%” in subparagraph 1 of the first paragraph of section 4 by “90%”;

(2) by replacing “\$37,705,000 under the first part and \$22,295,000” in the first paragraph of section 18 by “\$42,905,000 under the first part and \$17,095,000”;

(3) by replacing “80%” in subparagraph 1 of the first paragraph of section 22 by “90%”.

Each of the equalization amounts computed in the first application of sections 4 to 32 must be multiplied by the weighting factor corresponding to the fiscal year for which it is computed, namely,

- (1) 0.75 for the fiscal year 2016;
- (2) 0.5 for the fiscal year 2017;
- (3) 0.25 for the fiscal year 2018.

61.4. The second application of sections 4 to 32 is based on the formula that will fully apply as of the fiscal year 2019 and each equalization amount computed during that application must be multiplied by the weighting factor corresponding to the fiscal year for which it is computed, namely,

- (1) 0.25 for the fiscal year 2016;
- (2) 0.5 for the fiscal year 2017;
- (3) 0.75 for the fiscal year 2018.”.

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

102616

Gouvernement du Québec

O.C. 440-2016, 25 May 2016

Professional Code
(chapter C-26)

Specialist's certificates of professional orders — Diplomas issued by designated educational institutions which give access to permits and specialist's certificates of professional orders — Amendment

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

WHEREAS, under the first paragraph of section 184 of the Professional Code (chapter C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Bureau de coopération interuniversitaire, in the case of a university-level diploma, and the Minister responsible for Higher Education;

WHEREAS the Office carried out the required consultations;

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 diplomas issued by designated educational institutions which give access to permits and specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 18 June 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des ingénieurs du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits and specialist's certificates of professional orders, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

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

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

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended in section 1.21

(1) by inserting the following before “–Baccalauréat en génie chimique” in paragraph *b*:

“– Baccalauréat en génie aérospatial;

– Baccalauréat en génie biomédical;”;

(2) by inserting “– Baccalauréat en génie civil” before “– Baccalauréat en génie électrique” in paragraph *e*.

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

102617

Gouvernement du Québec

O.C. 445-2016, 25 May 2016

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

**Occupational health and safety in mines
— Amendment**

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7 to 9 and 19 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 28 October 2015, with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, at its sitting of 18 February 2016, the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines, without amendment;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

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

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety in mines

An Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 7, 8 and 19, and 3rd par.)

1. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended

(1) by replacing ““CSA” means the Canadian Standards Association; (*ACNOR*)” by ““CSA or ACNOR” means the Canadian Standards Association; (*ACNOR ou CSA*)”;

(2) by inserting the following after the definition of “hoisting apparatus”:

““IEC” means the International Electrotechnical Commission; (*CEI*)”;

(3) by inserting the following after the definition of “insulated”:

““ISO” means the International Organization for Standardization; (*ISO*)”.

2. The following is inserted after section 11:

“**11.1.** As of 23 December 2016, a person who is in an open-pit mine must wear apparel complying with the Guideline on Selection, Use, and Care of High-Visibility Safety Apparel, CSA Z96.1-08, and with the High-Visibility Safety Apparel standard, CSA Z96-09. Class 2 high-visibility safety apparel is required as a minimum.

Despite the foregoing, wearing high-visibility safety apparel is not required in a lunchroom, a cab or an office, or to get from the parking lot of the site entrance to a building.”

3. Section 102 is amended

(1) by inserting “weighted average” in subparagraph 1 of the first paragraph after “gases to”;

(2) by replacing “0.6 mg of respirable combustible dust” in subparagraph *a* of subparagraph 1 of the first paragraph by “0.4 mg of total carbon”;

(3) by replacing subparagraph 1.1 of the first paragraph by the following:

“(1.1) the sampling and analysis method for diesel particulate matter in terms of total carbon is the method NIOSH 5040: DIESEL PARTICULATE MATTER as it reads in version 3 dated 15 March 2003 published by the National Institute for Occupational Safety and Health (NIOSH), in NIOSH Manual of Analytical Methods (NMAM), Fourth Edition.

The laboratory analysing the total carbon must be certified under a recognized standard such as the international standard ISO/CEI 17025:2005 – General requirements for the competence of testing and calibration laboratories published by ISO. It must be certified by a recognized certifying body, such as the Standards Council of Canada.”

4. Section 103.1 is amended by replacing “respirable combustible dust” in the introductory paragraph by “total carbon”.

5. Section 138 is amended by replacing subparagraph 1 of the second paragraph by the following:

“(1) be built of fireproof materials and be fire resistant for at least 1 hour;”

6. Schedule VI is struck out.

7. This Regulation comes into force on 23 June 2016.

102619

Notice

An Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1)

Regulation — Amendment

Notice is hereby given that the Commission de protection du territoire agricole du Québec adopted, at its sitting of 5 May 2016, the Regulation to amend the Preservation of Agricultural Land and Agricultural Activities Regulation appearing below.

The Regulation determines the new information and documents that must be provided so that an application for authorization under section 58 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) and the declarations under sections 32 and 32.1 of that Act are validly filed with the commission. It also adds a new application for the verification of real and personal rights affecting property, by prescribing the information and documents that will have to be provided for

such an application to be validly filed with the commission. Lastly, it revokes the sections respecting the declaration required for the purposes of section 41 of the Act.

In accordance with sections 10 and 11 of the Regulations Act (CQLR, chapter R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 February 2016 with a notice that it could be adopted by the commission on the expiry of 45 days following that publication.

MARIE-JOSÉE GOUIN,
*President of the Commission de protection
du territoire agricole du Québec*

Regulation to amend the Preservation of Agricultural Land and Agricultural Activities Regulation

An Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1, s. 19.1, pars. 2 and 3)

1. The Preservation of Agricultural Land and Agricultural Activities Regulation (chapter P-41.1, r. 1) is amended by replacing sections 1 and 2 by the following:

“**1.** For the purposes of section 58 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), an application for authorization is filed on the form provided by the Commission de protection du territoire agricole du Québec containing the following information:

A) INFORMATION PROVIDED BY THE APPLICANT

(1) the applicant’s name, address, telephone and fax numbers and email address and, if applicable, the mandatary’s name, address, telephone and fax numbers and email address;

(2) the name, address, telephone and fax numbers and email address of the owner of the lots covered by the application, where the applicant is not the owner, and, if applicable, the acquirer’s name and address;

(3) a description of the project covered by the application and the nature of the authorization required to implement the project;

(4) the designation of each of the lots covered by the application, the range, the cadastre, the municipality in which each of the lots is located, the area covered by the application and the total area of the property;

(5) a demonstration of the lack of available areas suitable for the purposes of the application elsewhere in the territory of the municipality concerned by the application and outside of the agricultural zone, where the application seeks an authorization for a new use other than agricultural;

(6) the current use of the lots covered by the application and the description and use of the buildings and works on each lot;

(7) for lots covered by an application for the alienation of a lot or group of lots as well as for lots kept by the applicant and lots owned by the acquirer, the list thereof, their area, range, cadastre, the municipality in which each lot is located, their use, the type of cultivation, a description of the principal farm buildings, of the housing buildings and their year of construction, the inventory of animals, the production quota and contingent for each of them;

(8) where the application pertains to the use for a purpose other than agricultural for the purposes of exploiting resources and making embankments, a list of the uses related to the exploitation applied for and for all the new sites and enlargements of sites applied for, a demonstration that there is no site minimizing the impact on agriculture, the duration of the authorization applied for and, if applicable, the number of the prior decision of the commission;

(9) where the application pertains to the use for a purpose other than agricultural for the purposes of storing fertilizing residual materials, the treatment required, if any, the livestock of the operator of the storage structure and the areas cultivated by the operator, the current use of the storing structure, its size and capacity, an estimate of the volume stored yearly, the destination of the fertilizing residual materials and the duration of the authorization applied for;

(10) where the application pertains to the cutting of maple trees in a sugar bush, the projected type of cut;

(11) the attestation by the applicant or by the applicant's mandatary that the information provided and the documents attached are true;

B) INFORMATION PROVIDED BY THE MUNICIPALITY

(1) the correspondence between the municipality's zoning by-law and the development plan in force, the compliance of the project concerned with the zoning by-law and any interim control measure;

(2) where the project covered by the application does not comply with the zoning by-law or, if applicable, with the interim control measures, an indication as to whether a draft by-law makes the project compliant, and an indication as to whether an opinion has been issued by the regional county municipality or the metropolitan community stating that the proposed amendment would comply with the development plan or interim control measures of that regional county municipality or that metropolitan community;

(3) only if the application is to obtain a use for a purpose other than agricultural, an indication as to whether the subject of that application constitutes a protected immovable that generates distances separating livestock facilities;

(4) where the application is for a new use for residential purposes or for the enlargement of a residential use, the minimum area and the minimum frontage required for that use under the municipal subdivision by-law in force;

(5) the date that the by-law directing the installation of a water or sewer system to serve each of the lots was adopted, where the lots are served by such a system;

(6) a description of the surrounding environment, by making an inventory of all the vacant or non-vacant farm buildings located within a radius of 500 metres from the location referred to in the application, the type of building or livestock, the number of animal units if applicable and, in the absence of a farm building within that 500-m radius, an indication of the distance from the nearest farm building;

(7) the current use of the neighbouring lots;

(8) the date of receipt of the application at the municipality's office; and

(9) the name, telephone number and email address of the municipal officer and the officer's position within the municipality.

2. The following documents must accompany any application made under section 58 of the Act:

(1) a dated and signed scale plan, indicating the scale used, the cardinal points, the number of the lots concerned, their area and the measurements of the sides of each of the sites in question, the distances from the lot lines and public road, the location and use of the buildings erected on the lots in question, their area and their location on each of the lots belonging to the owner of the lots in question that are contiguous or deemed to be contiguous by effect of the Act to each of the lots in question;

(2) in addition to the information required in the plan to be provided under paragraph 1, where the application is for a use for a purpose other than agricultural for the purposes of exploiting resources and making embankments, the plan must indicate the location and area of the access road, work areas and extraction areas or embankment areas, the redeveloped areas covered with topsoil and intact areas in the case of an application for the continuation of the work;

(3) where the application pertains to the use for a purpose other than agricultural for the purposes of exploiting resources and making embankments, a rehabilitation plan or program prepared by an agrologist and, depending on the nature of the proposed work, a description of the project indicating the agronomical problems to be solved or the objective pursued, a topographical plan produced by an agrologist, a land surveyor, an engineer or any other professional having the required qualifications, including the level of the natural land and the final profile, the level of the adjacent pieces of land over a 20-m strip around the boundaries of the site concerned, the position of the groundwater body and the date of observation, as well as a stratigraphy showing the result of the soil surveys, and a description of the layer of topsoil in place, accompanied by a soil analysis by an accredited laboratory;

(4) where the application is for the continuation of resource exploitation work or for the enlargement of a site that has already been granted authorization by the commission, a document showing the volumes of topsoil heaped with the calculation method, the thickness of topsoil put back into place on the restored areas with the sampling plan, an expert's report by an agrologist stating that the conditions of the previous authorization have been complied with, if it was a requirement for the previous decision;

(5) where the application is for the implementation and operation of commercial and municipal wells, a map showing the location of the various sites of research for a site with less impact on agricultural activities, as well as a hydrogeological report stating the effect of the catchment on the use of agricultural land and livestock comprised in the area of influence;

(6) where the application is for the cutting of maple trees in a sugar bush, a forest prescription signed by a forest engineer, specifying the number of initial cuts per hectare and the number of residual cuts, in the case of partial cutting, and a forest diagnosis indicating the number of cuts per hectare and an evaluation of the impact of the cutting on the adjacent sugar maple stands signed by a forest engineer, in the case of total cutting;

(7) a copy of the land title for each of the lots concerned, bearing the date and publication number in the land register;

(8) a cheque or postal money order made out to the Minister of Finance in the amount provided for in section 1 of the Regulation respecting the tariff of duties, fees and costs made under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1, r. 6).”

2. Sections 4 and 5 are replaced by the following:

“4. For the purposes of sections 32 and 32.1 of the Act, a declaration must be filed on a form provided by the commission and contain the following information:

(1) the name, address, telephone and fax numbers and email address of the declarant, and, if applicable, the name, address, telephone and fax numbers and email address of the mandatary and the owner;

(2) the designation of each of the lots covered by the declaration, the range, the cadastre, the area of each lot and the municipality in which each is located, as well as all the other lots forming the property covered by the declaration of exercise of a right;

(3) the right relied upon by the declarant and the facts in support of that right;

(4) the declarant's attestation that the information provided and documents attached are true; and

(5) the information provided by the municipal officer relating to the number and date of the application for a construction permit, the type of proposed construction and its dimensions, and the name, telephone and fax numbers, email address of the municipal officer, and the officer's position within the municipality.

5. For the purposes of section 100.1 of the Act, a declaration filed under section 32 or 32.1 of the Act by means of the form provided by the commission and duly completed must be accompanied by the following documents:

(1) a copy of the land title for each lot in question and, in the case of a declaration made under section 32.1 of the Act, a copy of the deed or proposed deed of alienation, and a copy of any prior title, if a part of the area of the right recognized under Chapter VII of the Act was for the first time subdivided, alienated or retained on the occasion of a subdivision or alienation. Each of the copies of such titles must bear the date and number of publication in the land register;

(2) a scale plan, dated and signed, the scale used to make it, indicating the cardinal points, the location of the buildings on each of the lots in question and the distances between them, the lot lines and the public road, as well as the location of the building to be erected. In the case of a declaration made under section 32.1 of the Act or where the building is to be erected or replaced on an area of recognized rights referred to in sections 101 and 103 of the Act, the plan must identify precisely the area of recognized rights referred to in section 101 of the Act and the location of the uses for purposes other than agricultural and the distances between them and the lot lines and the public road. Such plan must also illustrate the area over which the declarant claims to exercise the right to enlarge provided for in section 103 of the Act, where applicable;

(3) a copy of the graphic matrix illustrating each of the lots in question;

(4) in the case of the replacement of a burned-out or destroyed residence, erected under section 31 of the Act, or a building used for purposes other than agricultural before the date of application of the Act, a copy of the fire report or demolition permit, or an attestation by a municipal officer indicating the date of the total or partial destruction of the building or any other document making it possible to establish the date of the destruction;

(5) where the declarant relies upon the personal right provided for in section 40 of the Act to erect a residence, the name, profession and quality of the occupant of the residence, the principal characteristics of the farm operation such as its total area, the area under cultivation, the type of crops, a list of the livestock, farm machinery and buildings, specifying which areas are leased by the declarant and which are owned by the declarant, and a copy of the financial documents for the last fiscal year;

(6) where the declaration covers an area of recognized rights provided for in section 105 of the Act, an attestation by the clerk or secretary-treasurer of the municipality indicating the date on which the municipal by-laws providing for the installation of public water and sanitary sewer services were passed and approved, as well as the type of uses allowed by municipal by-laws on the areas covered by the declaration;

(7) a cheque or postal money order made out to the Minister of Finance in the amount provided for in section 1 of the Regulation respecting the tariff of duties, fees and costs made under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1, r. 6).”

3. The following is inserted after section 5:

“**5.1.** In addition to the declarations referred to in sections 32 and 32.1 of the Act, a person may apply to the commission for a verification of the existence of a real right or a personal right affecting the person’s property. Such application must be filed on a form provided by the commission and contain the following information:

(1) the applicant’s name, address, telephone and fax numbers and email address and, if applicable, the name, address, telephone and fax numbers and email address of the mandatary and the owner;

(2) the designation of each of the lots covered by the application, the range, the cadastre, the area of each lot and the municipality in which each is located, as well as all the other lots forming the property covered by the verification of rights;

(3) the type of use concerned, the right relied upon by the applicant and the facts in support of that right;

(4) the attestation of the person or the person’s mandatary that the information and documents provided are true.

5.2. An application for the verification of rights, filed by means of the duly completed form provided by the commission, must be accompanied by the following documents:

(1) a copy of the land title for each of the lots concerned, bearing the date and publication number in the land register;

(2) a scale plan, dated and signed, the scale used to make it, indicating the cardinal points, the location of the buildings on each of the lots in question and the distances between them, the lot lines and the public road. The plan must also identify the area of recognized rights referred to in section 101 of the Act and illustrate the area over which the applicant claims to exercise the right to enlarge provided for in section 103 of the Act, where applicable;

(3) a copy of the graphic matrix illustrating each of the lots in question;

(4) if the right to verify is the right referred to in sections 101 and 103 of the Act, a copy of the fire report or demolition permit, or an attestation by a municipal officer indicating the date of the total or partial destruction of the building or any other document making it possible to establish the date of the destruction, the construction permit, the property assessment roll of the year of the Order in Council, of the year 2001 and of the current year, as well as any other relevant document;

(5) if the right to verify is the right referred to in section 104 of the Act, a description of the public service projected by the public authority and any other document including the Order in Council of the Government, the municipal by-law allowing to establish the origin of the right relied on;

(6) if the right to verify is the right referred to in section 105 of the Act, an attestation by the clerk or secretary-treasurer of the municipality indicating the date on which the municipal by-laws providing for the installation of public water and sanitary sewer services were passed and approved, as well as the type of uses allowed by municipal by-laws on the areas covered by the application for verification;

(7) if the right to verify is the right covered by the personal rights provided for in sections 31 and 31.1 of the Act, a copy of the relevant permits, the property assessment roll of the year following the construction and of the current year;

(8) where the recognition applied for is for the personal right provided for in section 40 of the Act, the name, profession and quality of the occupant of the residence, a description of the farm operation including the total area owned and the leased area, if applicable, the area under cultivation, the type of crops, a list of the livestock, farm machinery and buildings, and a copy of the financial documents for the last fiscal year;

(9) a cheque or postal money order made out to the Minister of Finance in the amount provided for in section 1 of the Regulation respecting the tariff of duties, fees and costs made under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1, r. 6).”

4. Sections 7 and 8 are revoked.

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

102622

M.O., 2016

Order number 2016-10 of the Minister of Transport, Sustainable Mobility and Transport Electrification and the Minister of Public Security dated 24 May 2016

Highway Safety Code
(chapter C-24.2)

Public highways where photo radar devices and red light camera systems may be used

THE MINISTER OF TRANSPORT, SUSTAINABLE
MOBILITY AND TRANSPORT ELECTRIFICATION
THE MINISTER OF PUBLIC SECURITY

CONSIDERING subparagraph 3 of the second paragraph of section 634.3 of the Highway Safety Code (chapter C-24.2), which provides that photo radar devices and red light camera systems may be used to monitor compliance with highway safety rules on any public highway determined by the Minister of Transport and the Minister of Public Security after consulting with the municipality responsible for the maintenance of the highway, if applicable;

CONSIDERING the Ministerial Order concerning Public highways where photo radar devices and red light camera systems may be used (chapter C-24.2, r. 6.01);

CONSIDERING that it is expedient to amend the Ministerial Order to determine a new location where a photo radar device and a red light camera system may be used, to replace a location described in Division II.3, and to remove a location described in Division II.1 where such use is authorized;

CONSIDERING that the municipality responsible for the maintenance of the public highways concerned has been consulted;

ORDER AS FOLLOWS:

1. Section 5.1 of the Ministerial Order concerning Public highways where photo radar devices and red light camera systems may be used (chapter C-24.2, r. 6.01) is amended by striking out subparagraph *a* of paragraph 6.

2. Section 5.3 is amended by replacing subparagraph *b* of paragraph 6 by the following:

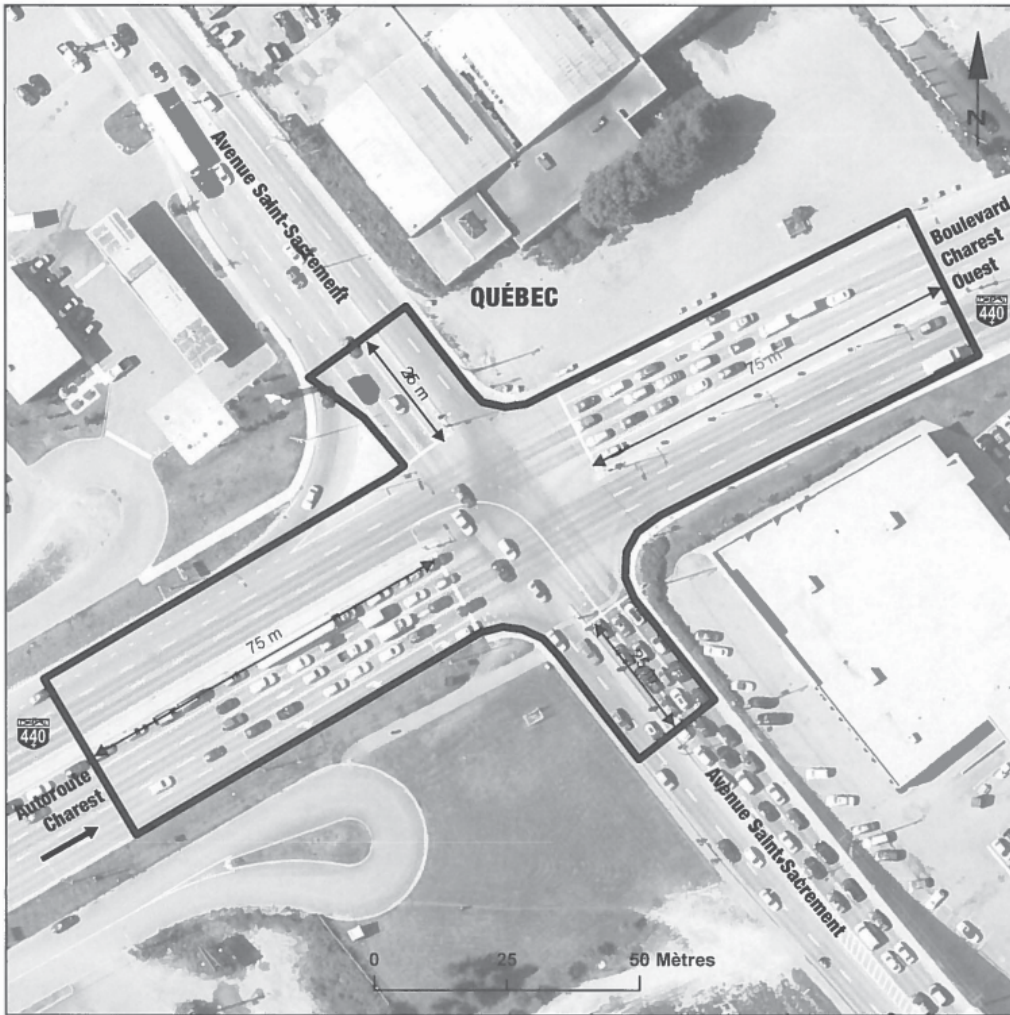
“(b) at the intersection of autoroute 440, named Autoroute Charest, route 440, named boulevard Charest Ouest, and avenue Saint-Sacrement, to monitor compliance with stops at the red light and the speed limit on route 440 on the northeastbound lane;”.

3. Schedule 1 is amended by striking out Map 5.1-6-a.

4. Schedule 1 is amended by replacing Map 5.3-6-b by the following:

MAP 5.3-6-b

IN THE TERRITORY OF VILLE DE QUÉBEC, AT THE INTERSECTION OF AUTOROUTE 440, ROUTE 440 AND AVENUE SAINT-SACREMENT



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

JACQUES DAOUST,
*Minister of Transport,
Sustainable Mobility
and Transport Electrification*

MARTIN COITEUX,
*Minister of Public
Security*

Draft Regulations

Draft Minister's Order

An Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire
(chapter M-22.1)

Management indicators pertaining to the administration of certain municipal bodies — Revocation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Order of the Minister of Municipal Affairs and Land Occupancy concerning the revocation of the Order of the Minister of Municipal Affairs, Regions and Land Occupancy dated 15 February 2012 concerning management indicators pertaining to the administration of certain municipal bodies, appearing below, may be made on the expiry of 45 days following this publication.

The draft Order revokes the Order of the Minister of Municipal Affairs, Regions and Land Occupancy dated 15 February 2012 concerning management indicators pertaining to the administration of certain municipal bodies, which was made under section 17.6.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1).

Further information may be obtained by contacting Jean Villeneuve, Directeur général des finances municipales, Ministère des Affaires municipales et de l'Occupation du territoire, 10, rue Pierre-Olivier-Chauveau, 1^{er} étage, Québec (Québec) G1R 4J3; telephone: 418 691-2007.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Municipal Affairs and Land Occupancy, 10, rue Pierre-Olivier-Chauveau, Québec (Québec) G1R 4J3.

MARTIN COITEUX,
*Minister of Municipal Affairs
and Land Occupancy*

102611

Draft Regulation

Professional Code
(chapter C-26)

Criminologists — Committee on training

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

The draft Regulation fixes, in accordance with the second paragraph of section 184 of the Professional Code (chapter C-26), the terms and conditions of cooperation between the Ordre professionnel des criminologues du Québec, constituted by the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1), and the authorities of the educational institutions issuing the diplomas which give access to the permit of the Order. It also provides for the establishment of an advisory committee for criminologists.

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

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

Further information may be obtained by contacting Pierre Couture, director general and secretary of the Ordre professionnel des criminologues du Québec, 1100, boulevard Crémazie Est, bureau 610, Montréal (Québec) H2P 2X2; telephone: 514 437-6727 or 1 844 437-6727; email: pcouture@ordrecrim.ca

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

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the committee on training of criminologists

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

1. A committee on training is hereby established within the Ordre professionnel des criminologues du Québec.

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

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

In that respect, the committee is to consider

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

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

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

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

The Bureau de coopération interuniversitaire appoints 2 members.

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

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

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

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

They remain in office until they are reappointed or replaced.

5. The functions of the committee are

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

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

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

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

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

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

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

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

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

9. The quorum of the committee is 3 members, including 1 member appointed by the board of directors, 1 by the Bureau de coopération interuniversitaire and 1 by the Minister of Higher Education.

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

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

11. The board of directors must send a copy of the committee's report, where applicable, and the committee's opinion to the Bureau de coopération interuniversitaire, the Minister of Higher Education and the Office des professions du Québec.

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

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

102621

Draft Regulation

Professional Code
(chapter C-26)

Criminologists — Diplomas which give access to permits — Amendment

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

The draft Regulation amends the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) to introduce the diplomas which give access to the permit of the Ordre professionnel des criminologues du Québec, constituted by the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1).

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

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre professionnel des criminologues du Québec to obtain their opinion. The Office will seek the opinion of the Order and send it to the Minister of Justice with its own opinion, after consulting the educational institutions and other bodies concerned.

Further information may be obtained by contacting Pierre Couture, director general and secretary of the Ordre professionnel des criminologues du Québec, 1100, boulevard Crémazie Est, bureau 610, Montréal (Québec) H2P 2X2; telephone: 514 437-6727 or 1 844 437-6727; email: pcouture@ordrecrim.ca

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

STÉPHANIE VALLÉE,
Minister of Justice

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

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

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (chapter C-26, r. 2) is amended by inserting the following after section 1.35:

“**1.36.** The following diplomas awarded by the educational institutions designated below give access to the permit issued by the Ordre professionnel des criminologues du Québec:

(1) Baccalauréat en criminologie (B.Sc.) (orientation Intervention) from the Université de Montréal;

(2) Maîtrise en criminologie (M.Sc.) (option Intervention) from the Université de Montréal, obtained following the successful completion of the qualifying program imposed by the university since 1993;

(3) Baccalauréat en criminologie (B.A.) from Université Laval.»

2. Section 6 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) remains applicable to persons who, on (insert the date of coming into force of this Regulation), hold any of the diplomas listed therein or who are registered in the program leading to any of the diplomas.

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

102620

Draft Regulation

Professional Code
(chapter C-26)

Nurses

— **Professional activities that may be engaged in by nursing assistants**

— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting certain professional activities which may be engaged in by nursing assistants, made by the board of directors of the Ordre des infirmières et infirmiers du Québec and appearing below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation authorizes a nursing assistant to engage in the activities for maintenance care of a tracheostomy connected to a ventilator as part of a home care program provided by a health and social services institution.

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

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

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

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation amending the Regulation respecting certain professional activities which may be engaged in by nursing assistants

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

1. The Regulation respecting certain professional activities which may be engaged in by nursing assistants (chapter I-8, r. 3) is amended by replacing the title of Division II by “TRACHEOSTOMY CONNECTED TO A RESPIRATOR”.

2. Section 2 is amended by replacing, in subparagraph 1, “ventilator” by “respirator”.

3. Section 3 of this regulation is amended:

1. by replacing, in subparagraphs *ii* and *iii* of subparagraph *a* of subparagraph 1 of the first paragraph, “ventilator” by “respirator”;

2. by adding, after subparagraph *iv* of subparagraph *a* of subparagraph 1 of the first paragraph, the following subparagraph:

“v. the applicable emergency interventions;”;

3. by replacing subparagraphs 2 to 4 of the first paragraph by the following:

“(2) they must perform these professional activities in the following settings and contexts:

(*a*) in one of the following centres operated by an institution:

- i. a residential and long-term care centre;
- ii. a hospital centre, when the patient is in rehabilitation, lodging or long-term care;
- iii. a rehabilitation centre for persons with physical disabilities;

(*b*) as part of a home care program provided by an institution;

(3) a nurse or a respiratory therapist is available on the premises to intervene with the patient quickly or, in the case provided in subparagraph *b* of subparagraph 2, a nurse or a respiratory therapist is available at all times to give the nursing assistant instructions;

(4) the patient's state of health is not in a critical or acute phase;

(5) these professional activities are performed in accordance with the conditions stipulated in the protocol of the institution including the description of procedures, methods, limits or standards applicable for caring for a patient on a respirator;”;

4. by replacing, in the second paragraph, “4” by “5”.

4. Section 5 of this regulation is amended:

1. by striking out subparagraph 3 of the first paragraph;

2. by replacing, in the second paragraph, “in subparagraphs 2 and 3” by “in subparagraph 2”.

5. Section 6 of this regulation is amended by striking out subparagraph 2 of the second paragraph.

6. Section 7 of this regulation is amended by replacing, in the first paragraph, “in subparagraphs 2 and 3” by “in subparagraph 2”.

7. Section 8 of this regulation is amended by replacing, in the first paragraph, “in subparagraphs 2 and 3” by “in subparagraph 2”.

8. Section 8.1 of this regulation is amended by striking out subparagraph 4.

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

102613

Notices

Notice

An Act respecting the legal publicity of enterprises (chapter P-44.1)

Delegation of certain powers of the enterprise registrar

CONSIDERING section 4 of the Act respecting the legal publicity of enterprises (chapter P-44.1), which provides that employees of the Agence du revenu du Québec are designated by the Minister to assist the enterprise registrar in the functions of office;

CONSIDERING section 6 of the Act, which provides that the enterprise registrar may, by notice and with the concurrence of the Minister, delegate some or all of the registrar's powers to an employee designated under that section 4;

CONSIDERING section 6 of the Act, which provides that the notice must be published in the *Gazette officielle du Québec*;

CONSIDERING that the enterprise registrar exercises powers under the Act respecting the legal publicity of enterprises, the Business Corporations Act (chapter S-31.1) and the Companies Act (chapter C-38);

CONSIDERING the notice published on 17 June 2015 (2015, G.O. 2, 1071), in which the enterprise registrar delegated certain powers to employees designated therein;

CONSIDERING the need to replace the delegation of powers provided for in the notice published on 17 June 2015 to modify the list of persons designated therein;

THEREFORE:

The enterprise registrar, pursuant to section 6 of the Act respecting the legal publicity of enterprises, delegates the powers mentioned in the following provisions to the employees of the Direction principale du registraire des entreprises designated below:

(1) sections 132 to 134 of the Act respecting the legal publicity of enterprises, sections 25 and 27 of the Business Corporations Act and sections 19 and 221.1 of the Companies Act:

—Mr. Michaël Gagnon;

—Ms. Alexandra Giroux-Blanchet;

—Mr. Jean-François Guay;

—Ms. Amélie Lehoux;

—Ms. Pascale Mailloux Leblanc;

—Ms. Maude Morissette;

(2) section 20 of the Act respecting the legal publicity of enterprises and section 24 of the Business Corporations Act:

—Ms. Valérie Dran;

—Mr. Mario Jean.

Québec, 12 May 2016

HERMEL GRANDMAISON,
Enterprise Registrar

Concurrence of the Minister of Finance

In accordance with section 6 of the Act respecting the legal publicity of enterprises, the Minister, represented by the president and chief executive officer of the Agence du revenu du Québec duly authorized to act under section 8 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), concurs with the delegation of powers.

Québec, 20 May 2016

ÉRIC DUCHARME,
*President and Chief Executive Officer of
the Agence du revenu du Québec*

102612

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

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